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THE UNION CANAL

Its Origin, Development and Passing and Strolls Along Its Tow Path Through the Lebanon Valley

PART I

PAPER READ BEFORE THE

LEBANON COUNTY HISTORICAL SOCIETY

LEBANON, PENNSYLVANIA

FRIDAY, DECEMBER 15, 1939

BY

REV. J. G. FRANCIS, A.M., D.D.

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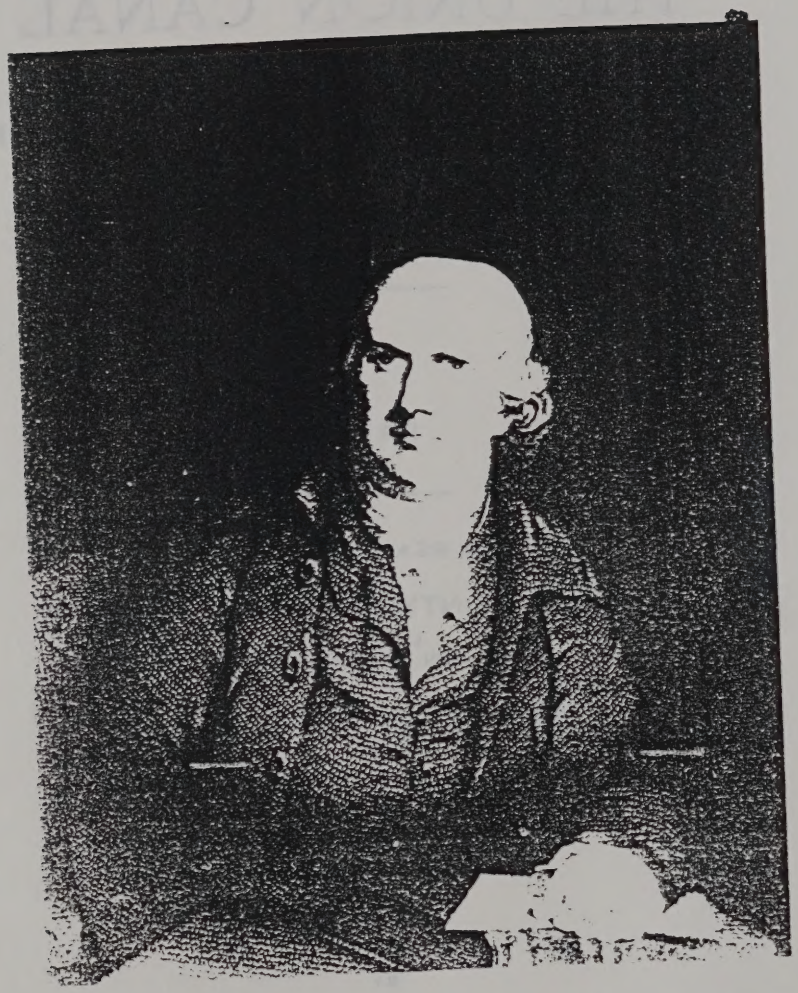

Rob Morris

THE ORIGINAL PRESIDENT OF OUR CANAL

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THE UNION CANAL

By Rev. J. G. Francis, A.M., D.D.

Pastor of The First Church of the Brethren, Lebanon, Pa.

PREFACE

It must not be thought that this is the first time that our Historical Society has had a say on the Union Canal. Rev. U. Henry Heilman, in Vol. IV, pages 407 to 459, could not write on Heilmandale without using a large part of his space on the canal in that The Nineteen Lock Section. The researches of Dr. H. H. Shenk, State Archivist, unearthed that very interesting, very important account of the Myerstown riot. Vol. VII, pp 430-444. The biography of Simeon Guilford, by J. H. Redsecker, Vol. III, pp. 92-98, is another vivid introduction to the Canal. Theodore Kline was plunged into canal life as Secretary of the Union Canal, and when we sent him to Harrisburg as our Representative, he produced a History of the Canals of Pa.; and our Union Canal received from him a fair consideration. Egle in his History of Lebanon County and also of Dauphin County to some extent tells us about the old canal which at one time meant so much to our Valley. He also gives an interesting and enlightening biography of Wm. Lehman, the first Superintendent of the Union Canal, which we suspect was gotten from Benjamin, son of William. A helpful account of the Union Canal was published in 1834.

Deeds for the canal begun in 1821, of course, are recorded in our Lebanon Recorder's office (and be it remembered that we give detailed history of the Canal only through our County); but in 1791, when the Old Canal was begun, what is now Lebanon County, was Dauphin County. So we had to make a trip to the Harrisburg Court house. When the Canal sold lands, and all was finally sold, we had another long list of deeds to consult with the Canal as grantor. Very

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valuable, and of course, very reliable information has been secured from these sources.

Our County Historical Society has laid up treasures of information in the shape of old newspapers; the Canal was news producing. The State made laws for canals, made appropriations for the same; and the Department of Interior searches out canal history. Railroads write up the history of their great predecessor. George Washington, a canal man, kept a diary, at times at least; so did Wm. Lehman and others interested in canals. Other historical societies beside our own have sources, and have had writers on Canals, even on our Union Canal and have been gracious in imparting information, among which should be named the Montgomery County Historical Society and the Pennsylvania Historical Society. At home the names of Charles D. Weirick, Esq., Sec. of our Society, of Harry F. Hummel and of Paul Grittinger should be mentioned as valuable helpers.

And by no means least important have been the memories of old people who lived along the canal or participated in its activities. The names of Jacob Kleiser, of John Adam Focht and of Jacob Kimmel should here be mentioned. We cannot here mention all sources, but will ever aim to give credit in loco.

Early Canal Development

It is well for us in considering the history of our Union Canal to know that William Penn as early as 1690, envisioned the project which laid the foundation for the interior industrial development of his province. At that time, under the heading, "Some Proposals for a Second Settlement in the Province of Pennsylvania," he says:

"It is now my purpose to make another settlement, upon the river Susquehanna, that runs into the Bay of Chesapeake, and bears about fifty miles west from the river Delaware, as appears by the Common Map of the English Dominion in America. There I design to lay out a Plan for the building of another City, in the most convenient place for communication with the former plantation on the East; which by land is as good as done already, a way being laid out between the two rivers very exactly and conveniently, at least three years ago; and which will not be hard to do by water, by the benefit of the river Scoulkill; for a branch of that river lies near a branch that runs into the Susquehannagh river, and is the common course of the Indians with their Skins and Furrs into our Parts."

The vision of Penn is credited with having led men to canalage, which early possessed people of his province. Egle says: "The State of Pennsylvania is justly entitled to the credit of having first directed public attention to canals and turnpikes in the United States." The earliest advocates of inland navigation, as early as 1760, induced the American Philosophical Society to order a survey for a canal to connect the Chesapeake Bay with the Delaware. "The Provincial Assembly," continues Egle, "at the same time authorized a survey on a route extending five hundred and eighty-two

miles to Pittsburgh, and this survey was partially by the route of the Tulpehocken and Swatara Creeks. This survey was made and a report followed strongly recommending the execution of the project. The adoption of the plan was postponed in consequence of the Revolution."

Following the Revolution, North Carolina, Virginia and Maryland got on the canal job ahead of Pennsylvania, accomplishing something between 1786 and 1791. Our state was awake by September 29 of the latter year. Egle says: "Robert Morris, David Rittenhouse, Dr. William Smith, Tench (not Terick) Francis, and others were named as commissioners. The intention of connecting the eastern and northwestern parts of the State is distinctly expressed in this and in the consequent act of April 10, 1792. Work was commenced on lands between Lebanon and Myerstown in 1794." But the Myerstown Riot occurred in 1793, so Egle was at least a year behind the time.

"By an Act of Assembly passed the 29th of September, 1791, a company was incorporated to construct a canal and lock navigation between the Schuylkill and Susquehanna rivers by waters of Tulpehocken, Quittapahilla and Swatara Creeks, in the counties of Berks and Dauphin, and that project may therefore be classed as another pioneer in the projected lines of the west."—Klein.

Some writers give credit to Robert Fulton in developing the canal through our valley. We shall certainly welcome any tangible evidence that Fulton furthered in any way the development of our canal enterprise.

Practical Beginnings

In March, 1761, a Commission of fifteen members was appointed "for clearing, scouring and making the river Schuylkill navigable, with full power and authority by virtue of the Act of Assembly of the above date, to take, collect, recover and receive of and from any person or persons

whatsoever, any sum or sums of money which are or shall hereafter be given, granted or subscribed, for making the river Schuylkill navigable and passable for boats, flats, rafts, canoes and other small vessels, from the ridge of mountains commonly called the Blue Mountains to the river Delaware." This was the "inaugural step" leading to the formation of the great Schuylkill Navigation Company.

Public interest was awakened to crying needs of transportation. Governor Thomas Mifflin in 1790 thus addressed the Legislature: "The very laudable attention paid to the survey of roads and rivers is a conclusive proof of the importance of the object, while it furnishes an example highly deserving of your imitation. Every day, indeed, produces an additional incentive to persevere in improvements of this kind. The commercial policy of insuring the transportation of our produce from the interior counties to the capital (Philadelphia) is dependent upon the ease and facility of the communications that are established throughout the State; and when we consider Pennsylvania not only as the route that actually connects the extreme members of the Union, but as a natural avenue from the shores of the Atlantic to the vast regions of the western territory, imagination can hardly paint the magnitude of the scene which demands our industry, nor hope exaggerate the richness of the reward which solicits our enjoyment."

The Committee appointed January, 1791, to examine reports of the Commissioners employed in exploring the waters of the Susquehanna and Delaware rivers, reported, February 19, after having taken up the Delaware. The Committee continues:

"The Schuylkill next presents itself, not merely in order as a branch of the Delaware, but as one of those great highways which at a future day will bear on its waters the immense produce and trade of the western country. This river is to be considered in a double point of view, first a great natural channel, tending to the Metropolis from the

upper water above Reading, and thence joining a favorable country for an excellent road to the town of Harrisburg on the Susquehanna, by which means a ready and cheap communication may be formed. The expense of the Schuylkill to Reading is estimated at about fifteen hundred Pounds. The road from Reading to Harrisburg at five hundred Pounds.

"Secondly, Pursuing the Schuylkill up the waters of the Tulpehocken, it will be found they approach so near to the waters of the Quittapahilla leading down the Swatara to the Susquehanna river, that a canal and lock navigation force themselves on our notice, the expense of which is estimated at 18,650 Pounds. From this canal down the Swatara the expense is 250 Pounds. The expense of rendering the Tulpechocken navigable up to the water of the canal, is estimated at 11,290 Pounds. The Canal from the head of Tulpehocken to Lechner's Mill, 9,700 Pounds."

Then follows an estimate of the cost of navigation from the mouth of the Swatara up the Susquehanna, then up the Juniata and on to Pittsburgh. (See Klein's "The Canals of Pennsylvania.") But we have to do only with what became the Union Canal, from the Schuylkill to the Susquehanna, and of that only the portion within our present county of Lebanon.

We should get clear what was in the Committee's report. It was not, in the phrase of the day, all canal proper from the Schuylkill to the Susquehanna. Four sections are mentioned: first, across the divide between the Tulpehocken and the Quittapahilla and the Swatara, cost of canal over this section, 18,650 Pounds; second, this being down the Swatara to the Susquehanna, a section which did not demand a canal, this being slack water navigation, 250 Pounds; third, slack water navigation up the Tulpehocken, evidently to Lechner's Mill, 11,290 Pounds; and fourth, canal from the source of the Tulpehocken down to Lechner's Mill, 9,700 Pounds. So we have here proposed two sections of canal

and two sections of slack-water navigation. When we consider the slack water navigation in the lower Tulpehocken and down the Swatara, it is proper to bear in mind that the territory was heavily wooded, so that the streams were heavier than they are today. Originally it was proposed to build a real canal only from Lechner's Mill to the mouth of the Quittapahilla, or a stretch just about as long as the width of our County, Lechner's Mill being a couple of miles east of our present County line, and the Quittapahilla flowing into the Swatara a little east of the Dauphin County line. Of course the windings of the streams increased the mileage, for the canal must needs hug the streams.

It may be that actual digging of the canal did not begin before 1792, the State having authorized the Canal Sept. 29, 1791. The riot in Myerstown in 1793, seems to indicate considerable work done. Before the clouds began to clear away, we figuratively scratched our heads over the problem as to how those Irish could dig a canal from the Schuylkill to Myerstown in a year. Irish quickness in fight cannot be kept up over such a long stretch of canal digging. But with the canal beginning at Lechner's Mill, where the Millbach enters the Tulpehocken, a good-sized body of workmen, in something over a year, might in those days of naught but pick and shovel and wheelbarrow, if any hauling were done before 1794, have begun to approach Myerstown, close enough for the outraged farmers to decree, "Positively no further."

As to actual date of beginning, Dr. Schmauk says canal work began in 1794, likely quoting Egle as did others. But a Reading paper of November 20, 1793, says Washington passed through Reading November 14, "from his journey to the Canal of Quittapahilla." Dr. P. C. Croll says that Washington visited the canal "partially completed near the present village of Avon as early as 1792." The Washington visits we shall consider later. We should not be surprised to find that a shovel or two of ground had been thrown before the 1791-92 winter had set in; that quite a pile there was

before the summer of 1792. (See Shenk's Myerstown Riot, Vol. VII, pp 430-444.)

The First Acquisition of Lands

Only two deeds of the Schuylkill and Susquehanna Navigation Company are recorded in books of Dauphin County, which at the time included our Lebanon County. The company became bankrupt by 1797, when Dauphin was only twelve years old; and the company did not get farther west than Lebanon in its operations. Short tracts west of where the Millbach enters the Tulpehocken, wide enough for the "ditch-like" canal and tow-path were evidently acquired but were not recorded. The two recorded deeds were of large tracts, evidently intended for works to give to the canal a water supply. The one tract was a short distance west of Myerstown, containing 152 acres; the other was immediately east of Front Street, now Lincoln Avenue, at Lebanon, containing 184 acres.

The West Myerstown Tract

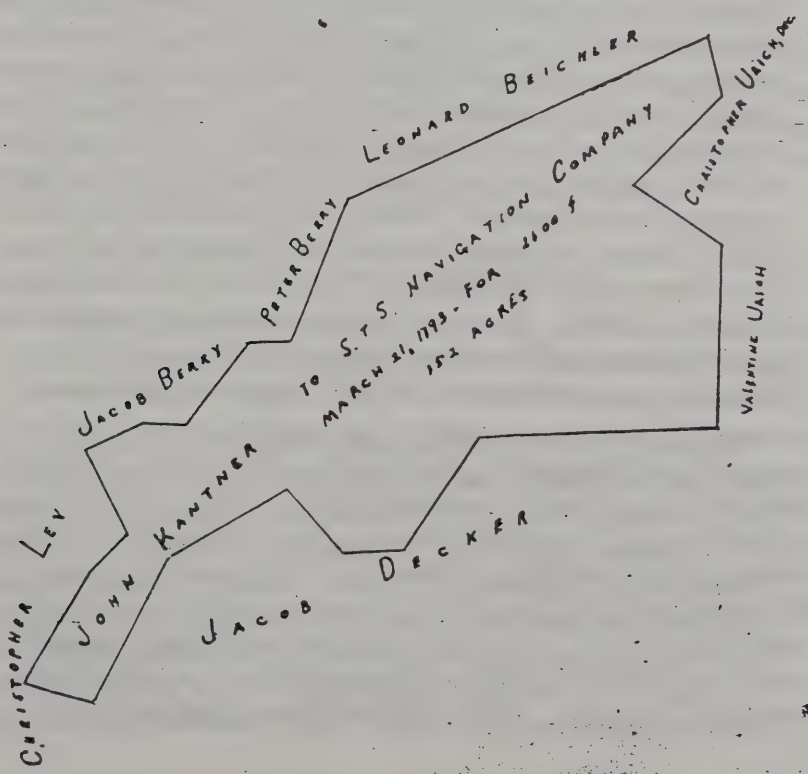
We take up this tract first because the deed of it is the older of the two, though recorded after the later deed. The Orth deed doubtless had a clear track, but with this tract there was likely some difficulty. The deed for the Myerstown tract, the Kantner deed given by one John Kantner, of the Borough of Reading, reveals that Kantner had a short time before bought the land, likely to convey it to the Canal.

The Myerstown riot the same year gives ground for believing that the canal could not have gotten a deed direct. For an outline of this tract, see diagram. The deed is of great importance in the history of the Old Canal. We give it briefly, in substance:

March 21, 1793, John Kantner, of the Borough of Reading, and Christina, his wife, conveyed for 2500 Pounds to the Company of the "Schuylkill and Susquehanna Navigation"....That Tract of the County of Dauphin, Beg. at a cor. of Valentine Urich, by Chistopher Urich, dec., N 72 W 36, NE 43, N 15 E 20; by Leonard Beichler S 72 W 129; by

Peter Berry S 13 W 52, N 13; by Jacob Berry S 38 N 36, W 15, S 73, W 23½; by Christopher Ley (Lee) S 32, E 35, S 41 W 20, S 32 E 45, S 75, E 16, S 75 E 14; by Jacob Decker N 21 E 58, N 61 E 44½, S 42 E 32, N 85 E 21, N 28 E 48, N 85½, by Valentine Urich N 62, to Beg.; Cont. 152 acres; with buildings....Mills, Mill races, Mill ponds....Geeri (?), dams, slieuces, flood-gates, headways, freeboards to Mill....reserving rights," etc. "granted by Christopher Myer to a certain Jacob Decker of and to a certain small rivoulet or run running through the hereby granted premises near the mill and the quantity of Two Acres heretofore Granted by Christopher Myer to a certain John Myer."

This deed brings us in touch with the family that founded Myerstown. The tract was bounded evidently by the original Myer lands on the southeast and by the Ley lands on the west. Mill water wheels were evidently intended to be used to pump water into the canal bed. (Dauphin Co., Records, Book G, Vl. I, P. 66.)



Lest we overlook the national importance of the Navigation: that the canal came up the Schuylkill river from other than Robert Morris, the great financier of the Revolution; .—that the canal came up the Schuylkill river from Philadelphia, then our National Capital. To show that Washington and the Federal Government were vitally concerned, let us quote from Egle: "In the year 1792 (the year before the above purchase and of the one at Lebanon), President George Washington, David Rittenhouse, the eminent scientist. Dr. William Smith, and Robert Morris, the great financier of the Revolution, passed through Lebanon during the survey being made for the Union Canal. Their journey was made in the interests of the great internal improvements then being started, of which the canal was one."

When the Navigation Company became bankrupt, this tract, along with the Lebanon tract, was conveyed to the Bank of North America of which Tench Francis, one of the surveyors to lay out the canal, was cashier. It is well to bear in mind that the Navigation Company retained certain rights when the transfer was made: "Reserving....all the grounds laid out and occupied by the bed and towing paths of the canal and the waters of the conduits, drains, water courses already made or which were intended to be made." The Company evidently counted on completing this enterprise some time in the future. It was work here that caused the riot of 1793. It is our opinion, as already hinted, that John Kantner, of Reading, bought this tract in 1792, preparatory to transferring it to the Navigation Company.

March 23, 1814, the President, Directors and Company of the Bank of North America conveyed to William Witman, Jr., of Reading, for 2175 Pounds, land begining at a corner of Valentine Urich, by Christopher Urich, of Leonard Baehler, etc. Containing 152 acres, "Being the same premises that the President, Managers and Company of the Schuylkill and Susquehanna Navigation by indenture dated July 31, A.D. 1797, recorded in Book K, Vol. 1, p. 200, granted and conveyed *inter alia* to the said President, Director and

Company of the Bank of North America in fee simple, on the conditions hereinafter expressed, together with all houses, outhouses, buildings, improvements, commons, pastures, woods, underwoods ways, waters, water courses, easements, profits, commodities, advantages, emoluments and hereditaments whatsoever . . . Reserving out of this present grant to and for the use of the President, Managers and Company of the Schuylkill and Susquehanna their Successors and Assigns all the grounds laid out and occupied by the bed and towing-paths of the Canal with free ingress, egress for opening and repairing and keeping in order the said conduits, water courses for filling and supplying the said Canal as the same have been laid out and constructed or were to have been constructed by the said Company and their Engineers with the liberty of taking materials of earth, stone, gravel or clay for keeping the same in repair from any part or parts of the said grounds and premises where most convenient." Book E. pp 82-84, Lebanon County Records.

The above transfer was made during the War of 1812. "Reserving" rights to the Canal Co., shows that faith was still enduring. The faith was the substance of the thing not yet seen, but finally seen in 1827. We have here one of the outstanding cases of faith in our history.

The East Lebanon Tract

"This Indenture made the third day of May in the year of our Lord One Thousand Seven Hundred and Ninety-three, between Baltzer Orth of the Township of Lebanon in the County of Dauphin, miller, and Rosina, his wife, of the one part, and the President, Managers and Company of the Schuylkill & Susquehanna Navigation of the other part. Witnesseth that the said Baltzer Orth and Rosina, his wife, for and in consideration of the sum of twelve thousand Dollars to them in hand paid by the President, Managers and Company aforesaid at and before the sealing and delivery of these Presents the Receipt of which said sum of money is hereby acknowledged, have granted, bargained

and sold and by these presents do grant bargain and sell unto the President, Managers and Company aforesaid, all that certain tract, piece or parcel of land, situated in the County of Dauphin, the State of Pennsylvania. Beginning at a stone in the line of the Moravian Church land and extending by other land late of the said Baltzer Orth north ten degrees East thirteen perches to a stone; thence by land at Mathias Morrets the three following courses and distances, to wit: S 87 W 21 to a stone N 18 perches to a stone E 23 perches to a stone; thence by the aforesaid other land of Baltzer Orth the three following courses, to wit: N 6 E 84 to a Hickory Tree N 13 E 24 to a stone and N 22 E 32 to a stone; thence by land of Martin Imhof N 25 E 110 to a stone where a Spanish Oak stood; thence by land late of John Saylor and land of Martin Light S 76 W 134 to a Black Oak; thence by land of Martin Light S 40 W 69 to a stone; thence by same and land of John Light S 5 W 156 to a stone, and S 7 W 28 to a stone on the north side of the Quittapahilla; thence by land of Philip Greenawalt, Jr., the nine following courses and distances, viz: N 73 E 5:3 to a stone S 4 W 2½ crossing said creek to a stone standing on the south side of the creek N 60 E 32 to a stone S 41 E 2 to a stone N 63 E 2½ to a stone S 34 E 12 to a stone S 17 E 2½ to a stone S 87 E 62.6 to a stone and S 8/10 perches to a stone; thence by Moravian Church land S 80 E 7½, to place of Beginning. Containing 184 acres and 22 perches, be the same more or less, together with all and singular the tenement and mills thereon erected and also the outhouses, woods, waters, water courses, rights, liberties, privileges, hereditaments and appurtenances whatsoever thereunto belonging or in any wise appertaining and the reversions and remainders thereof and of every parcel thereof *To Have and to Hold* the said described tract piece or parcel of land, hereditaments and premises unto the President, Managers and Company aforesaid, their successors and assigns, in fee simple. And the said Baltzer Orth and Rosina, his wife, for themselves their executors and administrators and every of them by these presents do covenant, grant and agree

to and with the President, Managers and Company aforesaid, their successors and assigns, that the President, Managers and Company aforesaid, their successors and assigns, in and lawfully may peaceably and quietly have hold, occupy, possess and enjoy the said described tract piece or parcel of land, Hereditaments and Premises hereby granted or mentioned and intended so to be with the appertenances without any lawful let suit, hindrance or molestation of them, the said Baltzer Orth and Rosina, his wife, their heirs, executors or administrators or any of them, or of any person or persons claiming by, from or under, or any of them, shall and will warrant and forever defend by these presents. In witness whereof the said Baltzer Orth and Rosina, his wife, have hereunto set their hands and seals and the President, Managers and Company aforesaid have caused to be set their Common Seal to these presents interchangeably dated the day and year fore above written.

BALTZER ORTH (SEAL)

ROSINA HER X MARK ORTH, (SEAL)

Sealed and Delivered by the said
Baltzer Orth and Rosina, his wife,
in the presence of

William Weston, Thos. Buth,
Philip Greenawalt, Jr.

Received on the day of the date of the above written Indenture of the President, Managers and Company of the Schuylkill and Susquehanna Navigation, the sum of twelve thousand dollars, being the full consideration money therein mentioned.

BALTZER ORTH

Witnesses present at signing:

William Weston, Thos. Buth.

Dauphin County, ss.

Before me, John Gloninger, Esq., one of the Judges of the Court of Common Pleas for said County, personally came Baltzer Orth and Rosina, his wife, the above Grantors, and acknowledged the above indenture to be their act and deed and desired the same to be Recorded as such. Witness my hand and seal the Third Day of May A.D. 1793. The said Rosina hereunto voluntarily coming, she being of full age, secretly and apart from her husband thereon examined and the contents thereof fairly made known unto her.

JOHN GLONINGER (SEAL)

Recorded May 4, 1793
Book F-1 p. 196, Dauphin Co. Records.

The two foregoing tracts of land were the first lands normally acquired by the Canal Company between the Schuylkill and Susquehanna rivers. We find no records of land bought in Berks County in the books in Reading; and the Company in that early day did no work west of Lebanon. I have found no deeds for narrow strips of land through the farms east of Lebanon. Probably the farmers refused to grant such deeds; and the Canal projectors simply proceeded to dig their great ditch through the farms by the exercise of the right of eminent domain.

It is evident from the diagrams (p. 260) that surveys were made for this first canal, evidently in 1793, and remade for the new canal finished in 1827. Both surveys extended from the road north from Avon to Weaverstown to the road running north from the road in to the County Home.

FARMERS PROTEST AGAINST CANALS AND TURNPIKES

To the Legislature of Pennsylvania

Signed by many farmers of the Lebanon Valley

Reference has been made to the Myerstown Riot in 1793, growing out of the Irish laborers digging the canal through the farms of the German land owners. By turning to Dr. H. H. Shenk's account of this trouble, you will be able to gather a clear and full account of it. There was the riot, the appeal of the farmers to Governor Mifflin, the letter of Canal President Morris also to the Governor, the turning of the trouble over to Judge Henry of the Dauphin County Court, and the settlement of the affair.

We shall follow a Remonstrance of the yeomen and citizens of Pennsylvania, to the State Legislature, against the liberties granted by the State to corporations to dig canals and make turnpikes through private property. It is evident that the right of eminent domain had not become a fixed accepted matter. The remonstrance was unearthed by

Historian Egle. The case is well stated, showing that the remonstrants had employed no secondary talent. It is evident that the remonstrance had grown out of the canal project now under consideration; and it is our claim, never before made to our knowledge, that the digging of the canal through, across our fertile valley did more than any other public enterprise to develop the nation's position on eminent domain. Washington's visits to our Valley will be taken up later; and the one of 1793 will be given a meaning which we have never seen given to it. The remonstrance follows:

"*The Remonstrance of the Subscribers, yeomen, and Citizens of Pennsylvania respectfully showeth*:

"That it is declared by the Constitution of our Country, that the Citizens have right, in peaceable manner, to assemble together for their common good, to apply to those invested with the power of government, for redress of grievances, or other purposes, by petition, address or remonstrances. Supported by this authority, and as free citizens of an independent commonwealth, we consider that the right of giving our opinion on public measures, is sufficient to impose on us the duty of calling your attention to several laws, by which a few wealthy and powerful citizens have been embodied, and are authorized to dig Canals and make Turnpike Roads, for their private property. Should those laws not be repealed, but become precedents to similar laws, the liberties of the people will be destroyed by incorporated companies enjoying partial and dangerous privileges.

"We consider that under every legal government, whether the sovereign power is exercised by a King, by an aristocarcy, or by a popular assembly, the People are entitled, to be protected in their lives and properties. The social compact ensures those rights, and at the same time establishes a perfect equality among citizens, that as all lay themselves under the same obligations, and make the same sacrifices to society all ought to enjoy the same privileges. Laws made contrary to these fundamental principles, are made in

violation of that duty which the Legislature owes to the People, and therefore must be regarded as arbitrary and unjust. A nation is obliged to preserve every one of its members. The nation owes this to itself, since the loss of even one of its members weakens it, and is injurious to its own preservation. Those who compose a nation are united for their defence and common advantage, and none can be justly deprived of the protection of the union, or of the advantages which flow from it, whilst he acts the part of a good citizen. If the government has a right to take one acre of the property of the farmer, without his consent, and bestown it for the advantage of a privileged company of citizens, it has the same right to deprive him of his whole farm. In whatever country or under whatever form of government such an abuse of power is exercised, there can only exist masters and slaves. The theory of such a government is falsehood and mockery—the practice is oppression. Nothing appears more absurd than to esteem any act right and just, merely because it has the sanction of the Legislature: If our citizens have no other foundation, they are as insecure as under the most despotic monarchy. What encouragement to agricultural improvements, if the property of the farmer is at any time at the absolute disposal of others? If that power which, when restrained within its just bounds, would dispense light and heat to the whole country, may be employed like a devouring flame to destroy? It is a matter of the first importance to a free commonwealth, to have the powers of the legislature defined with precision. We do not think it necessary to enquire into the extent of this power. The history of governments will furnish nothing satisfactory on this subject. In the disputes between sovereigns and the people, recourse is commonly had to history, to seek in the decisions and in the ancient customs of nations, examples or facts to regulate the judgment, but these histories, often dictated by fear or flattery, exhibit little more than the most horrid abuses and oppressions on the part of the sovereigns, and the too ineffectual struggles of the people to preserve their liberties.

"There does not exist a country in which the just limits of the sovereign and the rights of the people have been preserved. But it is not to the customs, to the examples, nor even to the concessions of other nations, to which we appeal on the present question; it is to the inalienable rights of the people, it is to reason, it is to justice, it is to the enlightened understanding of the representatives of a free people.

"We observe, with great anxiety, wealthy incorporated companies taking possession of public and private property. The outrages committeed by those privileged orders have already occasioned several hundred of our fellow-citizens to appeal to the legislature for redress. The inequality introduced by such establishment must destroy the liberties of our country. No observation is better supported than this that a country cannot long preserve its liberty where a great inequality of property takes place. Is it not, therefore, the most dangerous policy to this infant republic to combine the wealthy in order to make them powerful? Whilst we contend for an equality of rights we have no idea of the justice of the equal division of property. We know that a difference will always take place in society according to the physical and acquired abilities of its members, and this inequality, so far from being a source of evil, is the true basis of public prosperity. It invites the members of the same society mutually to assist each other, according to their various abilities. This mutual exchange of good offices is destroyed and the commonwealth endangered whenever, by arbitrary and partial laws, a few men are incorporated and made sufficiently powerful by privileges and wealth to purchase or to destroy the property and rights of their fellow-citizens.

"Influenced by these principles, and engaged in occupation not only necessary to the existence of our country, but which we know to be productive in proportion to the liberty, independence, and security of the farmer, we trust that the legislature will neither think our request unreasonable or unjust, when we pray to have those obnoxious laws repealed,

by the authority of which companies have been incorporated to dig canals and make turnpike roads, to the injury of public and private property.

"An act of this kind, however it might be censured by a few interested individuals, would not only be consistent with the strictest principles of justice, but supported by precedent. Vattel observes that the prince or superior of the society, whatever he is, being naturally no more than the administrator, and not the proprietor of the State, his authority as sovereign or head of the nation, does not of itself give him a right to *Alienate or dispose of the public property.* The general rule, then, is that the superior cannot dispose of the public property as to its substance. If the superior makes use of this property, the alienation he makes of it will be *invalid and at any time be revoked,* by his successor, or by the nation. This is the law commonly received in France, and it was upon this principle that the duke of Sulley advised Henry IV to resume the possession of all the domains of the crown, alienated by his predecessors. The records of the legislature of our country afford an honorable instance of substantial justice in the restoration of private property taken from its owners by law. On the memorial of Dr. William Smith and others, trustees of the College, Academy, and charitable school of Philadelphia, a law was enacted by which the former law was repealed, and the property restored to the owners."

These vigorous protests did not halt the march of internal improvements. In 1811 the two canal companies were united and reorganized as the UNION CANAL CO., with special authority to extend the canal from Philadelphia to Lake Erie and to such other parts of the State as they might deem expedient. In 1819 and 1821 the State granted aid by guarantee of interest and monopoly of the lottery privilege. This action brought additional subscriptions, with the result that construction was resumed in 1821. We claim that this clash of the land owner with the State did more to develop our position on eminent domain than any other enterprise in our history.

Reports of Work Done

A few interesting items in addition to that already gathered are gleaned from an article for the Pa. Hist. Society, written in 1939 by George Wheeler, Ped.D., Ass't Supt. of the Senior and Junior High School of Philadelphia.

William Weston was brought from England to take charge of the construction of the canal, no person in America being equipped for the work. Weston reports in 1794: "Five locks of six feet fall and two road bridges are completed; and such progress made in the sixth lock and two more bridges that a fortnight's work in the coming spring will suffice to finish them."

It will be noticed that William Weston was one of the witnesses of the transfer of our East Lebanon tract by Baltzer Orth to the Canal, so that Weston was here on the job before May 3, 1793.

September 24, 1794, Captain David Ford, with his Company of New Jersey Cavalrymen, which had been called for duty because of the Whiskey Rebellion, marched from Womelsdorf to Lebanon. He writes in his journal: "We passed a small village of about fifty houses called Mayortown (Myerstown, Ed.) near the Tulpehocken on which is the famous canal for joining the Susquehanna and Schuylkill together. I was unable to go and see it, but many of the gentleman did and tell that it is a most grand undertaking; that the canal is already dug ten miles, in which are five locks to embrace thirty feet, that they are executed in a masterly manner—that in the distance already done there is a great number of elegant arched bridges over the canal where it goes across the road. There are employed 600 hands on it and every prospect of succeeding in this part of the bold enterprise which if accomplished will turn a torrent of wealth into Philadelphia as will certainly secure it the emporium of America."

Wheel Barrows

From the Day Book of the Cornwall Furnace, Paul Grittinger has unearthed for us three very interesting entries:

Aug. 11, 1794—"Canal Company for 66 wheels for barrows—17 pounds, 14 s. Od."

Aug. 25, 1794—"Canal Company for 100 wheels for barrows—25 pounds, 17 s. 6 d."

Oct. 11, 1794—"Canal Company for 192 wheels for barrows—51 pounds, 9 s., Od."

So in the latter half of the year 1794 the Cornwall Furnace supplied to the Schuylkill and Susquehanna Canal Company 358 wheels for barrows. Whether or not these were the first barrows supplied the Canal Co., we cannot say. So many wheels were sufficient to give employment to a considerable number of men; and then perhaps not more than one third of the workmen, Irishmen, were in the barrows. Four locks had been built of bricks toward Myerstown by Oct. 2, 1794. We would rather suppose that wheelbarrows were used before Aug., 1794; and yet perhaps up to that time the ground had just been thrown aside *In loco.*

THE CANAL VISITS OF WASHINGTON

Some confusion has arisen concerning these visits of Washington. There is no doubt that he visited our Valley in three successive years—in 1792, in 1793 and in 1794; but to some extent confusion has arisen as to the placing of some happenings; valid grounds to questioning the objective of the visit of 1793; and a misplacing of Washington's own diary. Rev. P. C. Croll has done valuable investigating on these visits, but we do not agree with him altogether. With little evidence to protest, we accept him as authority on

The Visit of 1792

Dr. Croll writes:

"The illustrious Washington was here at least three times. Once he came to inspect a portion of the Union Canal that

had been surveyed and partially completed near the present village of Avon as early as 1792 . . . Robert Morris, the financier of the Revolution, David Rittenhouse, the astronomer; Dr. William Smith, Provost of the University of Pennsylvania; and Tench Francis, the legal representative of the Penns, were among the commissioners."—For Croll's account of this visit more at length, see Vol I, page 94-95.

The Visit of 1793

Of this visit Dr. Croll writes: "The object seems to have been mental and physical recreation and the payment of personal and social respects to Capt. Michael Ley, whose hospitality he enjoyed on this occasion. Mr. Ley was an officer during the Revolutionary struggle and his fine home was located about two miles west of Myerstown, now the property of Mr. Samuel Urich. The room of the house he occupied is even yet disignated as the 'Washington Room'."

William Guilford, M.D., son of the Canal engineer, says that Washington visited here in 1793 "to inspect the progress of the work upon the first canal in Pennsylvania," yet mixes up this visit with the one of 1794, on which visit Washington made diary entries; but Dr. Guilford very valuably adds:

"An old newspaper extract reads:

"Reading, the 20 November, 1793

"On last Thursday, November 14, our beloved George Washington, President of the United States, passed through here on his return from his journey to the canal of Quittapahilla," etc.

We called at the headquarters of the Berks County Historical Society for more light and for confirmation, and received the very valuable services of the newly appointed Curator, Dr. Gernert Clemens. He at first referred us to Montgomery's History of Berks Co., which makes the statement that first issue of a Reading paper appeared on "Saturday, May 7, 1796." According to this, there was no Reading

paper in 1793 to tell of Washington passing through. Yet Montgomery, page 394, says: "It has been stated that the *first* publication at Reading was a German weekly newspaper bearing the name *Die Neue Unparteusche Readinger Zeitung* (The Impartial Reading Herald). The first number is supposed to have appeared in 1789, but this statement is founded upon supposition alone, there being no copy of the paper in existence from which to obtain any facts that relate to it." Upon our perseverance Dr. Clemens went to investigate and, lo, he found papers of 1793, bound up, a weekly, and the first number was a little above No. 200. So here was a paper that had been giving news for four years, and four from 1793 is 1789. We had substantial proof of the correctness of the above statement, copies in existence, that a paper was started in Reading in 1789 and continued on through 1793; and we found the very copy from which Dr. Guilford had quoted.

We accept the paper's statement that the main objective of Washington on this visit was the canal. We do not reject the statement of Rev. Croll that Washington on this visit lodged and hunted with Michael Ley; but this was only incidental after the main business had been attended to. Remember also that the canal went through the Ley farm.

Rev. Croll evidently did not know and likely Dr. Guilford did not know of the Myerstown Riot. They seem not to realize that Robert Morris was the President of the Canal and that the whole State of Pennsylvania and doubtless the national capital of Philadelphia was stirred by the Myerstown Riot of that very year. We shall see that Morris had written Gov. Mifflin. We have not the slightest doubt that Washington came with Morris to some extent to adjust this difficulty, that his objective was "The Canal of Quittapahilla." We do not overlook the fact that Myerstown is not on the Quittapahilla. The question of eminent domain was involved in that riot, and Washington was a party consulted.

Yet, we believe the Reading paper advises correctly as to "the Canal of Quittapahilla." None of the writers whom we

have been able to consult were aware that the canal had bought the two large mill properties—152 acres adjoining Ley on the east and the 184 acres to the east of Lebanon. Both were purchased early in 1793, were officially the property of Robert Morris, President of the Canal. We are certain that President Morris of the Canal and his guest, President Washington of the U. S. A., on that trip to the canal of Quittapahilla lodged in the Peter Kucher mansion, then for six months already the property of the Canal. Washington in the 1792 visit may have lodged at the Farmer's Hotel at 10th and Cumberland streets, but in 1793 he lodged in the canal mansion of Robert Morris, the former Kucher Mansion.

It is in place to examine this "Captain Michael Ley" matter. In consulting Pennsylvania Archives, no Captain Michael Ley is to be found. The name of Michael Ley is found twice in official returns. In both cases he is a private in the 6th class, 7th Company, 2nd Battalion of Lancaster County mitilia, under Captain Wendel Weaver, which was mustered from the West Myerstown region. The second return in which Ley's name occurs was in 1782, almost at the end of the Revolution, when Ley, born in 1739, was 43 years old.—See Pa. Arch., 5th Series, Vol. VII, pp. 161 and 182. Michael Ley was never more than a private. His son Christian, mentioned also by Dr. Croll, was also in the service, in the same Company as his father, only his name is in more returns than is his father's. In one return, a special service to New Jersey, Christian is a sergeant.

Michael Ley was not linked with Washington in anything military. Like Washington he was a heavy land owner, lover of hospitality—and a sport. The Canal ran through his farm; doubtless some of the locks, in 1793, beginning construction were also on his farm. Washington on his way, a close student of the Canal, in coming on up to Quittapahilla had formed the acquaintance of Ley; and Ley had learned his program, had invited him on his return to lodge at his home and spend some time in hunting and fishing. The tradition

as reproduced by Dr. Croll clearly reveals pre-arrangement.

A new ray of light breaks through the clouds. More than one debt is owned the Heilman family by the people of Lebanon Valley for reliable history. Edwin F. Heilman of N. 3rd Ave., Lebanon, whose father was a Branch Canal superintendent, recently informed us as follows: Edwin's wife was Mary Gockley, daughter of Samuel Gockley, who had a landing place on the canal, at Avon, before the Light family, and who also built the brick mill still there. Samuel's wife was Susannah Strow, whose mother was a Ley, daughter of Christian. Dr. Croll says that Christian (1762-1832) was a son of Michael Lei (1739-1824), who with wife Eva built the mansion in 1760. As to "heavy losses in coal speculation in the time of Christian," in the words of Dr. Croll, Mr. Heilman says that Washington borrowed large sums of money from ancestor Lei about the time the American Army encamped at Valley Forge. Washington's letter written in our Valley Sept. 17, 1777, was following the battle of Brandywine (Sept. 11) and when Washington was preparing for a second battle with Gen. Howe, which was prevented by heavy rains. The Lei loans were repaid by the Government with the gift of 9000 acres of coal lands in Pennsylvania. The Lei family failed to pay the taxes on these lands, which the railroad learning, paid the taxes and acquired the land. Mr. Heilman thinks that the Michael Lei listed in Pa. Archives as in the Revolution, was a brother to Christian, the ancestor of Mrs. Heilman, and not Christian's father. Money lent by father Michael Lei to the Government at the time of war clashes at Brandywine was, therefore, the basis of friendship of Washington and Michael Lei. Here is another reason for stamping the name Brandywine on our little stream. Here is a matter worthy of the attention of our local D. A. R. Be it held in mind, however, that the Canal was the cause of the visit of 1793. The view of the Lei Mansion, the south side is the view from the canal; and it was taken in the horse and buggy age, before the mansard roof was added. The second story room to the right is the Washington room.

THE LEI MANSION...WHERE WASHINGTON WAS A GUEST

But the newspaper states clearly that Quittapahilla, the canal there, was the object of the visit. A captain was there, one doubtless with Washington at Brandywine. It was no other than Capt. Baltzer Orth, who a few months before had sold to the Canal his mill on the Quittapahilla, with 184 acres of land, see p. 236. Orth was whole-heartedly in the Canal enterprise. Wm. Weston, the canal builder, had witnessed Orths deed of transfer. Washington was come to see about the water-wheel being used to pump water into the canal. He was no doubt here for some time along with Morris. Likely the whole party was entertained by Capt. Orth, now Major Orth, if still in the mansion of his father-in-law, Peter Kucher. Washington undoubtedly investigated the "branch of Quittapahilla Creek," which from where Stoever's Dam now is, was deemed a feeder to the coming water wonder. Washington not unlikely suggested that the "branch" he called "Brandywine" after the battle in which the Captain was. Washington lodged while on the Quittapahilla trip in the Kucher Mansion.

Visit of 1794

We wish to be as brief as possible. This visit was not Canal in objective, but Whiskey Insurrection, yet it is the most fruitful of all in reliable canal information. On this trip Washington kept a diary. The published volume of his diary contains no entries of 1792 and 1793. Whether he kept a diary only on special occasions or whether some of his diaries were lost we know not. Inasmuch as we had read the account having the misplaced diary, before we were clear as to the truth of the matter, we had reached ungrounded conclusions, and had given them some expression, so a few explanations are in place.

According to the diary Washington reached Lebanon on the 2nd of October; but the Reading paper says he reached Reading on his return trip on November 14, so our conclusion was that he had been here a month and twelve days.

What could have kept the Father of his Country in our small town so long? But they were two different trips, so our perplexing problem vanishes.

In order to get clear in the midst of tangled history we quote from the published diary of George Washington in possession of the Montgomery Co., Historical Society.

"1794

"Tuesday, September 30th . . . I left the city of Philadelphia about half past ten o'clock this forenoon accompanied by Col. Hamilton (Secretary of the Treasury), and my private Secretary. Dined at Norris Town and lodged at a place called Trap—the first 17, the latter 25 miles from Philadelphia.

"1 St. October—Left Trap early, breakfasting at Pottsgrove (Pottstown) 11 miles we reach Reading to Dinner 19 miles farther; where we found several detachments of Infantry and Cavalry preparing for their March for Carlisle.

"2nd an accident happening to one of my horses occasioned my setting out later than was intended. I got off in time however, to make a halt (to bait my horses) at Womelsdorf 14 miles and to view the Canal from Myerstown towards Lebanon and Locks between the two places; which (four adjoining each other, in the Dissent from the Summit ground along the Tulphihockin; built of Brick;) appeared admirably constructed. Reached Lebanon at night 28 miles.

"3rd breakfasted at Humels T. 14 m and dined and lodged at Harrisburg on the Banks of the Susquehanna 23 miles from Lebanon"—Pages 209-211.

Washington's estimate of this territory will no doubt be of interest:

"The whole road indeed from Philadelphia to Reading goes over hilly and broken grounds—but very pleasant notwith-standing.

"From Reading to Lebanon along what is called the Valley,

the Country is extremely fine—The lands rich—The agriculture good as the buildings also are, especially the barns, which are fine, and for the most part of Stone—This settlement is chiefly of Dutch, and upon the Tulpahocken.

"From Lebanon to Harrisburgh, along the same vale, the Lands are also good, but not in so high a state of cultivation as between Reading and Lebanon."

" . . . Approaching Shippensburg—The Improvement along the road were mean; the farms scattered; the houses but indifferent; and the husbandry apparently bad."

On Oct. 20 Washington gives farewell orders to General Lee. He had crossed over from Pennsylvania into Maryland and into Virginia; and then undoubtedly as Dr. John Jordan, Librarian of the Pa. Hist. Soc. and Secretary and Historian of the Valley Forge Park Commission, holds, the President forwarded the tent he had used to his home at Mt. Vernon, whence Dr. Burke brought it to Valley Forge. Washington then returns to Pennsylvania and goes home from Bedford via Chambersburg, York, Lancaster, and arrived in Philadelphia on Oct. 27. He left no diary entries from Oct. 21 to Dec. 31, 1794. Neither has he left diary records of 1793, so it is clear that his return from Lebanon via Reading in Nov. 1793, was an altogether different trip from the one in which he made his diary records concerning the Canal, which trip was to suppress the Whiskey Insurrection. The trip of 1793 was undoubtedly to settle canal troubles, to view the canal as the Reading paper states. The diary referring to the canal accords fully with Wm. Weston and Capt. Ford. Washington, the night he was in Lebanon in 1794, doubtless slept in his tent, no new experience for him.

If we ascend the highway running north from East Lehman Street, past the Wolf farm buildings, as we ascend, we pass the cultivated bed of the New Canal and then about 150 feet farther up come to the bed of the Old Canal. From this point the Old Canal extends North 78° East 134.8

perches to the road running north from Avon to Weavertown. (See diagram p. 238.) This will Take us some distance south of the base of the hill, on the brow of which stands the unfinished high school building. The Avon Heights east of Avon is the highest point of our Summit.

From the New Canal at Avon we must go several hundred yards north on the Weavertown road till we reach what was the bed of the old Canal. The cultivated bed is very observable to the west across the Weiss farm and also across the farm to the east. The Old Canal curving south east ward is met by the New Canal coming eastward up from Avon. They become one and pass through the deep cutting to The Narrows.

Washington locates for us the four Weston Locks: "four adjoining each other in the descent from the Summit ground along the Tulpehocken"; and he adds, "built of brick." We must locate these locks, and later we shall tell of what became of the bricks.

ROBERT MORRIS

When the State of Pennsylvania in 1791 authorized a canal to be dug by the Schuylkill and Susquehanna Navigation Co., Robert Morris, the financier of the Revolution, was made its President. All worthy citizens of the City and County of Lebanon will want to know something about the man who was originally the head of the enterprise which laid the foundation of the industrial development of our Valley.

Robert Morris was born in Lancashire, England, in 1734, two years after Washington. When a child he was brought by his father to Pennsylvania. At the age of 15, Robert entered the employ of the counting-house of Charles Willing. By his integrity and ability he became, in 1754, at the age of 20, a partner. When the Revolution broke out, he was wealthy, his firm being second to none of its kind.

Robert Morris was a delegate to the Continental Congress in 1775, was a signer of the Declaration of Independence, for several years was a member of the Committee of Ways and Means, being of immense assistance through his sagacity as a financier and his personal credit. More than once he rescued Congress from crises. The $1,500,000 which enabled Washington to carry out his last campaign against Cornwallis at Yorktown was raised by Robert Morris.

Morris was the main support of the Bank of North America, our first bank. In 1786-7 he was influential in re-establishing the bank, whose charter had been repealed. He was repeatedly offered the office of Secretary of the Treasury, but suggested Alexander Hamilton.

"On May 7, 1806, the man who had controlled finances of a rising nation and by his personal exertions saved it from bankruptcy, died in a debtor's prison." The cause? Unfortunate land speculations. He gave his life to kill an inhuman law—imprisonment for debt.

Why should Robert Morris have become the head of our Canal. The historian Loosing says: "That eminent financier of the Revolution had more to do with the management of naval affairs than any other man. He sent out privateers on his own account, a business in which other patriots engaged." He was a water duck, born in the British Isle, Robert Morris was the logical man to be President of our Canal—the mother American Canal. He laid a good Canal foundation, as he laid a good national financial foundation. His Canal home in our midst was the old Kucher Mansion, north of Sweet Home.

In conclusion let us take a glance at Robert Morris in action as President of our Old Canal, the Schuylkill and Susquehanna Navigation Company. He is burdened with the Riot at Myerstown. He writes to Governor Mifflin as follows:

"We are sorry that ill Blood has so long subsisted, and that

Prejudices have been created; which, as they did not originate on the Part of the Company or their Agents, we sincerely wish to be done away; and, for that end, we have forwarded a Copy of the Complaint of the People of Myer's Town to Mr. Weston, our Engineer and Superintendent of the Work; with instructions to make strict Enquiry into the Conduct of the Overseers and Workmen complained of, and to discharge such of them as he may find justly culpable, or have committed outrages against the peace; and while, at the same time that they are punishable by law for their misdemeanor, it will be reasonable if no Fault or Blame is found on their Side, that they should be protected against the Malice and Combinations of those who as Adversaries to the Work, are also adverse to the Workmen."

The Old Canal on the Map

Joseph Scott in his "A Geographical Description of Pennsylvania," published in 1805, writes of Lebanon: "*Lebanon*, a handsome borough, and post-town, agreeably situated on the S. side of Quittapahilla creek. The plan of the town is regular. It contains about 300 houses; a German Lutheran and a German Calvinist Church. About a mile and a half E. of the town is the Susquehanna and Schuylkill canal, connecting the waters of the Tulpehocken, a navigable branch of the Schuylkill, with the Quittapahilla, a navigable branch of the Swatara."

This shows that this incompleted water-way was in 1805 an outstanding feature of the map. Its location, one and a half miles east of Lebanon, i. e. one and a half miles east of our present Seventh Street, would seem to indicate that the canal had been completed only that far west, say to about Avon, dug through the divide at The Narrows, or Avon Heights, yet the Old Canal bed, as we have already stated, is easily discernible west of the road up past the Wolf farm, and we are given to understand that work had been done u-

through the south part of the present North Lebanon Cemetery and on toward Ebenezer.

Jacob Kimmel informs me that the "old folks" used to say that the Old Canal ran along on the north side of the ridge, north of Maple Street. Ten miles of canal mentioned by Capt. Ford in 1794, beginning at Lechner's Mill would just about bring us to Lebanon. Likely the work here had just been started, and this work was overlooked by the geographer in 1805, who states that the Canal was completed to within a mile and a half of Lebanon to the east. Official records tell us that Martin Light having acquired in 1761 the land east of the present Seventh Street, north of Canal Street to near Reinoehlsville and extending east to Front Street and some distance up the Kimmerling Road, on Jan. 7, 1764, granted to Jacob Sanders the "privilege to Digg and make a Race" 20 perches east of the Fredericksburg Road, "up the creek Eastwardly." 20 perches take us right to the wall on the east side of the dam on the east side of 7th Street. Here was a mill of some sort, likely here when Washington made his visit to view the Canal on Quittapahilla. In those days mills, having water wheels, figured large in canal matters. Stover's Dam is on what was the Martin Light farm; and it was his farm till transferred to his son in 1798. It was the Martin Light farm when Washington visited in 1793. The stream on it before the Revolution was legally known as a branch of Quittapahilla; after the Revolution it became known and is still known as Brandywine creek. Martin Light's son Jacob, residence south of the Co. Home, was a soldier in the Revolution. With Capt. Baltzer Orth serving under Washington in the battle of Brandywine, how did this stream get its new name? We are inclined to believe that there are canal markings along the base of the ridge west of 7th Street.

The size of the contemplated canal boats, rafts or floats, may be judged by regarding the Tulpehocken and Quittapahilla creeks as navigable streams. In 1794 ten miles of canal had been dug. Ten miles east of Lebanon as stated, would take us to the vicinity of Lechner's Mill.

CANAL.-OLD AND NEW

Most persons now living, adults, in Lebanon County know that in years long gone by there ran a canal through our Lebanon Valley, but few know that there were two canals—the Old Canal and the New Canal. And there were old folks, not so long departed, living about Prescott, who used to tell younger folk, that three canals had run through their section—the Old, the New and the Widened. Permit legal papers to speak.

"Whereas the Union Canal Company of Pennsylvania have located and made their canal over and through a certain piece of land situated in Jackson Township, Lebanon County, now belonging to Frederick Kuster of said township . . . . on the 8 day of June, 1830 . . . . *Now Know All Men by these* presents that said F. K. and Mary his wife . . . . for the sum of One Hundred Dollars . . . . paid by said U. C. of Pa. . . . . Do release and forever acquit the said The U. C. Co. of Pa. . . . . from all claims or demands arising from or in consequence of the locating and making of the Union Canal and works over and through the said premises, also by and in consequence of locating and making the old canal and works over and through the same."—Book D. p. 681, Leb. Co. Records.

May 2, 1834, John Kreitzer of Jackson Twp. and wife, Catharine, for $70.00 convey to the U. C., "All land occupied by the U. C., formerly owned by Michael Kreitzer . . . . canal land contained 1 A. 156 P.; and the said U. C. Co. releases to the said J. K. all claims to the land occupied by the Old Canal.—S., pp. 78-9.

The President, Managers and Company of the Schuylkill and Susquehanna Navigation Co., May 3, 1793, had bought 4 A. 76 P. of land from Michael Tice, which the Union Canal Co. transferred back July 9, 1838, to Michael's son, Philip, in exchange of 3 A. 127 P. for the New Canal—land in Lebanon Twp., doubtless east of the Prescott Road.—M-5,

p. 319. In 1828 Wm. Lehman, Supt. of the Union Canal, built a home for the Supt. on N. E. Cor. of 9th and Maple Sts., from the bricks taken from the Weston Locks of the Old Canal.

The written agreement of June 3, 1826, a year before the opening of the canal, made between George Eckert, residing west of halfway, and Samuel Mifflin, President of the Union Canal, is enlightening. It runs as follows:

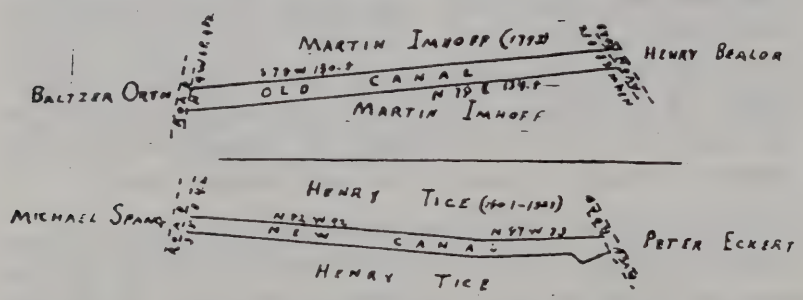
George Eckert, before September 1, next, is to consummate a grant to the Union Canal, by proper metes and bounds, the land now occupied by the Canal, its banks and towpaths, as at present laid out; that he, George Eckert. "will well and sufficiently make and build a fence on each side of the said Canal, as at present laid out, through the lands of the said George Eckert;" and he and successors, "shall and will forever keep the said fence in good and sufficient repair, the said fences to be made and completed on or before the first day of July next ensuing the date hereof. In consideration whereof the said Union Canal Company of Pennsylvania agrees with the said George Eckert, that it will well and truly convey and assure unto said George Eckert all that certain Tract, being the land occupied by the old canal, its banks and towpaths as formerly laid out and running through the land of the said George Eckert."

". . . And the Canal agrees with George Eckert that it "shall and will well and truly make and build a Bridge over that part of the Union Canal running through the land of the said George Eckert, as at present laid out . . . . and will keep said Bridge in good and sufficient repair forever."

"Signed,

"GEORGE ECKERT,
"SAMUEL MIFFLIN,
"President of the Union Canal Co. of Pennsylvania."

Let us now come further up to Avon and beyond, and look at the course of the old canal and of the new canal from the road running north from Avon to the road running north from the entrance of the County Home. It will be noticed from the diagram below that the land between these two roads was owned, when the old canal was laid out, by Martin Imhoff; and when the new canal was laid out this land was owned by Henry Tice. It will be noticed that the distance, as marked on the diagram, between the two roads when the old canal was laid out was 130.8 perches, while the distance when the new canal was laid out was 92 perches +33 perches or 125 perches. How is that? The roads had not been changed. Had the land between shrunk? Well, the new canal does not run quite so diagnonally as did the old. The old canal had gone into bankruptcy, and when the new canal was built, the projectors had learned to economize. You will also notice that the old canal was 6 perches 4 feet wide, while the new was only 4.2 perches, and the new canal was



the larger ditch of the two. There was a saving in acreage when it came to paying damage for land taken for the new canal and its towpath. You will also notice that the land east of the Avon road in 1793 was owned by Henry Bealor, and that in 1827 this land was owned by Peter Eckert, who built the house upon this farm. The land west of the other road in 1793 was owned by Baltzer Orth, and in 1827 by Michael Spang. Why is the new canal widened west of the Avon road?

"A second Canal Company was incorporated in the year

1792, designated the Delaware and Schuylkill Navigation Company. The capital of this company, like that of the Schuylkill and Susquehanna, was $400,000. It was to construct a canal from near Kensington on the Delaware across to the Schuylkill and up the latter river to Reading to connect with the Schuylkill and Susquehanna Canal. Robert Morris was president of both companies, so they were co-operative organizations. The plan was to improve, by means of slack water and canals, "the navigation of the Schuylkill up to Reading; thence by canal through the Lebanon Valley, and along the route of the Tulpehocken and Swatara creeks to the Susquehanna; thence westerly to Pittsburgh, and almost the exact route of the present (1834) state works."

The Schuylkill and Susquehanna Canal, "as compared with those now (1834) made, was a mere ditch, suited to the accommodation of boats carrying from seven to ten tons each. Several miles of the most expensive part across the summit level at Lebanon, were completed within three or four years after the organization of the Company."—From a History of the Union Canal published about 1834. See Vol. VII, p. 431 sq.

After spending upwards of $450,000.00 the two canal companies were forced to suspend operations. In 1811 they were reorganized and formally united under the title which they continued to bear, the Union Canal Company. The war of 1812 again put a stop to all enterprises of this kind, nor were active operations renewed until 1821. It might here be in place to state that our Union Canal which in 1834 was big in its own eyes as compared with the Old Canal, had by 1852 dwindled to a mere ditch in the eyes of the canals along the Schuylkill and Susquehanna, and enlargement of the ditch become inevitable.

The two large purchases of land by the S. & S. Canal were July 31, 1797, taken over by the Bank of North American, yet the Canal retained the privilege of going on to perfection. For the 184 acres tract east of Lincoln Ave., Lebanon, see Miss Kreider's paper Vol. XI, p. 191.

Publications of the Dept. of Interior tell us: "Many attempts from the year 1795 were made to resume operations but for a long period they were unsuccessful, although a subscription of $300,000 in stock was tendered by the state—" We are also told by the same authority that the name "Union Canal" came from the union of the Schuylkill Navigation Co., and the Schuylkill and Susquehanna Co. We are not altogether willing, however, to surrender our idea that it came from uniting the Schuylkill and Susquehanna Navigation systems. The Interior credits the State with starting off the enterprise in 1820 by "allowing a monopoly of the lottery privilege." Nor do we acquisce with the Interior in the statement that the Union Canal was never a paying enterprise; and it is certainly in error in stating that the first boat came up in 1828; it was in 1827.

When the enterprise was to be restarted in about 1820, we are told that doubts were entertained as to whether the route could be changed from the old survey. When it was learned that a change in route would be allowed under the law and charter, though work had previously begun, we are confronted with the name "The Old Canal" and "The New Canal."

Preparation for the New Canal

Writes "Girard," columnist of *The Philadelphia Inquirer*, under date of April 28, 1839:

"The Union Canal was projected in 1821 and completed five years later. A good deal of the financing was done via the lottery route.

"Before me is a yellowed copy of *The National Gazette and Literary Register*, of Philadelphia, date March 20, 1821. Largest advertisement in that old newspaper is headed "Reaping Extraordinary."

"As if the lottery prizes were golden sheaves to be harvested by lucky investors at $70 per ticket, Lewis T. Pratt,

promoter, wrote in whimsical style.

"Grand prize for the 'best reaper' was $25,000. There were eight prizes at $10,000 each, three more for $5,000 each, 18 for $1000 each, and scores of lesser 'sheaves' for other successful 'reapers'."

That was a Union Canal finance scheme. By no means an odd thing in that day, since in the previous century scores of other institutions, including Christ Church and Princeton College were also financially aided by lotteries.

The Baldwin Route

About 1820, Loammi Baldwin, "of Baldwin apple fame," and a talented engineer from Massachusetts, was appointed chief engineer of the Union Canal. He proposed a location for the new canal:

"Commencing at Middletown, at the mouth of the Swatara Creek, ascending that valley to the mouth of the Quitapahilla Creek, the valley of which last stream was ascended to its head-waters at Lebanon, continuing his levels across the ridge dividing the water of the Susquehanna and the Schuylkill, and ascending that elevation on its east side to the Tulpehocken and following the windings of the latter stream to Reading."

Baldwin found two springs, one the head of the Quittapahilla, "Light's Spring," south of the County Home; the other the head of the Tulpehocken, likely near Kimmerling's, if not the fountain of Strack's Dam, north-west of Myerstown. These were on about the same level. The great gusher on the Lei farm was hardly the fountain head of the Tulpehocken, as has been claimed; that gusher is now dry, because of the quarries, and the Tulpehocken still flows on. Baldwin's level for the canal across the Summit was 33 feet lower than the level adopted later. This would have allowed the water from both fountain-head springs to flow naturally into the canal, which he argued would give an ample supply

of water. He would have followed the Quittapahilla from its mouth to its source. This would have required a long, deep excavation, as deep at places as 50 feet, and three miles in length. The cost was estimated at $375,000. The cost frightened the managers. And then he proposed such mammoth locks—12 feet wide and long enough for boats of 40 to 50 tons capacity. Baldwin could not get his views across to the managers, resigned and accepted a position under the Federal Government.

On first reading of Baldwin's plans, we were impressed that here was another superior plan from New England. On second thought it was only the idea of Wm. Penn and those who before and after the Revolution endeavored to put Penn's idea into operation. In Penn's day canals were a far-off vision. If Baldwin's idea of giving the canal a much lower Summit level had been accepted, though involving a much greater initial cost, it might have resulted in much less expense in later years in supplying the canal with water. His views no doubt had influence on his successor, Canvass White, and White's first assistant, Simeon Guilford. When a new route was laid out in 1821, differing from the route of 1791, the former was several feet lower than the latter. See Vol. III, p. 4, of Publication of Dept. of Interior of Pa. Oft-repeated shortage of water in the Summit convinced many that the rejection of Baldwin's route was a mistake.

Charles Z. Weiss, grain, coal and lumber merchant of Avon, points out to us that the Avon Heights east of him, is the highest point of the Summit, that east of that the water flows into the Tulpehocken, and west of it the water flows into the Quittaphahilla. On following the canal through the Avon Heights one is impressed with the depth of the cut. At places the cut must be from 20 to 30 feet with the tow-path about half way up the south bank. Was the tow-path the base of the Old Canal? With the cut at Lebanon of 33 feet lower than the canal as constructed, the cut here at Avon Heights would surely have been as deep as 50 feet. The descent of the land east of The Narrows is at a con-

siderably greater angle than to the west. The three mile cut of Baldwin was likely from The Narrows west to Pleasant Hill.

The Baldwin survey would have taken the canal by the side of Annville. We are informed that the pumping station on the north side of the Quittapahilla creek, at Front street, (Lincoln Avenue), Lebanon, was exactly in the line of Baldwin's survey. Whether a canal here, dug 33 or more feet deeper than the canal later constructed, would have tapped, injured or destroyed the head spring of the Quittapahilla, we do not know; but subsequent trouble in getting water for the Summit, gives ground for remembering Loammi Baldwin in our canal history, and acquiescing in having a very good apple named after him.

LAND PURCHASES FOR THE CANAL OF 1821

It will no doubt be of considerable general historic interest and value to know of the purchases of lands by the Canal to establish itself through our county. Special interest will attach to descendants of those who sold land to this industry producing highway. These considerations justify the Lebanon County Historical Society our great historical servant, in reproducing these land purchases. We shall begin in the eastern end of our County, and give these land deals in order, as far as possible, to the West and North.

October 31, 1825, Jacob Steiner of Tulpehocken Twp., Berks Co., "taylor," and wife, Elizabeth, convey to the Union Canal Co., of Pa., for $100.00 a tract of land in Jackson twp., Leb. Co., formerly Heidelberg twp., Beginning at a line of Peter Fesig (formerly Christian Artz) along right bank of Creek to where canal crosses the same, thence across canal to outside of left bank, along same to line of Peter Fesig, along said line across canal to point of beginning. Containing 2½ A.---Book C, pp. 404-5 of Leb. Co. Records. Inasmuch as Steiner lived in Berks Co., and sold land in Lebanon Co., we presume that his canal land was at the line

between the two counties, and so affords our proper starting place to the east.

The land sold almost invariably runs along the outer side of the right bank of the canal, crosses the canal at the line joining neighbor, runs along the outside of the left to adjoining neighbor at the other end and then recrosses the canal to the point of beginning. This may be taken for granted for all sales recorded hereafter unless otherwise stated. Surveys quite generally are not given in the legal records, only the four course afore designated. Where surveys are given we very generally reproduce them, for often they are of great historic value.

January 15, 1827, John Beitenbach of Heidelberg twp., and wife, Elizabeth, to U. C. for $51, land beginning in line between J. B. and Gottlieb Kuntzel, auctioneer, S 73 W 9 ch. 50 l., along south boundry of plantation, thence N 68 W 2 ch. to north side of Owl Creek, N 73 E 11 ch. 65 l., along side creek to G. K. S 6 W 1 ch. 40 l., to beg., Cont. 1 A. 44 P.—C-532-3. Beg. means beginning; and Cont., containing; capitalized, because this is common with Records. Letters and figures following surveys are to books and pages in Lebanon County Recorder's office.

August 22, 1828, Gottlieb Kintzel of Jackson twp., Esq., and wife, Barbara, to U. C. for $68.75 and $1.00 additional tract Beg. line of J. Breitenbach to Peter Clark, Cont. 1 A. 115 P.—D-308-9.

May 25, 1829, Peter Clark of Jackson twp., and wife, Mary, to U. C. for $50.75, and an additional $25.25, tract Beg. bet. C. Kimell, to J. Kreitzer, Cont. 1 A. 43 P.—D-300-2.

August 27, 1828, John Walbourn of Jackson twp., yeoman, and wife, Susanna, for $80.75 and $1.00 additional, tract Beg. line bet. W. John Kritzer, to line of Jonas Haak and W. Cont. 2 A 3 P.—D-277-9. bet. stands for between. Paying an additional sum to original amount named in the contract

is quite common; and the words, "amicable settlement" is very common. William Lehman, Supt. of the Canal, was a man of peace.

Nov. 28, 1829, Michael Holstein of Jackson twp., and wife, Sarah, to U. C., for $68.75, tract purchases by M. H. at sheriff sale in 1829, the Kintzel land.—D-310-11. It would seem the U. C. had paid twice for this tract, to Kuntzel before sheriffed and to Holstein after purchase.

"Whereas The Union Canal Company of Pennsylvania have located and made a dam, reservoir, drains, feeders, banks, paths and other works in and upon a certain Plantation, situated in Jackson Township, Lebanon County, near Myerstown, formerly belonging to William Whitman, Esq., late of Berks County, dec.,: and have occupied, appropriated and used and continue to occupy, appropriate and use divers streams of water on and running through the same, and have by the rise of water and other means caused injuries to said premises, and Whereas an amicable settlement has been made by and between the said Company and Charles Whitman, administrator of said William Whitman, dec., who is now (Aug. 1, 1831) owner of said premises, by which settlement to the sum of Four Hundred Dollars is agreed to be received," etc. E—168. This is of the 152 acre tract purchased by the Old Canal in 1793, see p.

For $250. paid by U. C., Christian Dundore relinquishes Apr. 7, 1826, all right to a bridge over the Canal, being on Sec. 34 E.— C, p. 504.

April 4, 1826, John Hostetter of Jackson twp., beginning at line late of John Emmel, dec., to land of said U. C., by several courses, containing about 3 A. 1 P.---S-500-1. U .C stands for Union Canal Company of Pennsylvania. Hereafter, if the owner of land resides in same township as the land transferred, the location of the land will not be designated; failure to locate land implies this.

Christian Spangler of Jackson twp. made amicable settlement for $200, Sept. 4, 1835.—F, pp. 435-6.

Philip Eckert had extensive land holdings at Prescott and Halfway on to the west and perhaps to the east. He died in 1828, shortly after the canal had begun operations. We have no where run across the course of the canal through his land. The agreement signed by his son George and President Mifflin of the Canal reveals that both the old and the new canal ran through the Eckert lands. George in his will leaves land to his son Cyrus which borders on the pike and on the Canal, land in both N. Leb. twp. and in S. Leb. twp. To his son Rudolph he leaves land in S. Leb. twp. which borders on the old road to Myerstown and on the canal, 89½ acres. The son William who receives 170 A. doubtless had land bordering on the Canal. Although we have no mention of the canal. At "The Narrows" east of which was the first lock east of Lebanon, the canal ran southeast toward Prescott. Ephraim Zug pretty well obliterated traces of this highway of traffic through these lands.

Michael Lesher owned the land immediately west of Eckert. Nov. 1, 1828. Michael Lesher and wife Frances, for $400. with $53.62 added later, convey to the Union Canal land, Beg. at center of canal in line between Lesher and John Hoffman, along said line N 25 W 1 ch. 83 l., S 74½ E 7 ch. 50 l., S 88 E 1 ch. 50 l. N 68¾ E 10 ch. 93 l., to line bet. Lesher and Eckert, across canal on said line S 27½ E 2 ch. 76 l., S 68¾ W 11 ch. 70 l., N. 88 W 2 ch. 41 l., N 74½ W to line bet. Lesher and Hoffman, along said line to Beg. Cont. 5 A. 70 P. Lesher and Hoffman, along said line to Lesher "to keep up forever a good and sufficient fence along both sides of the Canal".—D 266-p. 7.

John Hoffman, May 7, 1825, conveys to the President and Managers of the U. C. for $502.94, land Beg. cor. of Jacob Swope, by J. H., S 72 E 9, by same 77½ E 65½, by Michael Lesher N. 25 W. 22, by J. H. N. 8½ W 41, by same 72 W 18.2, by same S 49 W 10, by Jacob Swope S 25 E 4.2 to Beg. Cont. 6 A. 26 P.—Book C.-355. On the same date John Hoffman of Lebanon twp., yeoman, and wife Anna convey to the Pres. and Mgrs. of the U. C. Co., of Pa., for $300., all

that certain water right, course running through land of J. H., with right to enter and repair, J. H. reserving water for cattle.—C-353. The second transfer is certainly for the aqueduct. It will be noticed that Hoffman settled with the U. C. more than 3 years before Lesher, whose survey is by chains and links, while Hoffman's is by perches. There are other differences in wording.

Next West, Jacob Schwob (Swope) of Leb. twp., and wife Elizabeth, Apr. 1, 1830 for $80.00 all land occupied by canal and towpath, through plantation of Jacob Schwobe, about 2 A., "Also all the stone on the south side of the canal, which the said Company, their successors and assigns shall have a right to leave on the spot where it now lies and to remove when they may think proper. D—431-2. A Swope descendant tells us that the old Swope farm was at The Narrows, where the cut was deepest. If so, the Eckert lands were on quite a distance east of Prescott, for Hoffman and Lesher were between to the West of Eckert.

Retaining the right to leave stones, doubtless refers to the excavations of the deep cutting, just west of The Narrows. Swope received additional pay for his land; to his $80. were added $96.25.

We do not have the survey of Swope's land, so we know not with legal certainty who joined him on the west; but the Tice survey of land to the U. C., which land extended to the road running north from Avon, gives as the adjoining land owner on the east, Peter Eckert. A fair sized farm could easily extend from the Avon road to The Narrows. In fact the H. H. Light, formerly Wolf farm, and still earlier it belonged to Peter Eckert, does so extend. Philip Eckert had a son Peter who was deceased in 1828, leaving children, Margaret, Mary and Susie. The farm was still in Peter's family when the Tice survey was made.

From the Avon road west to the Brandt (now Wolf farm) and C. Eckel farms, we have surveys of the old and also of

the new canals (see diagram p. 260). In 1793, when the old canal was laid out, all the intervening land belonged to Martin Imhoff, with Henry Bealer adjoining on the east and Baltzer Orth on the west. When the new canal was laid out Henry Tice owned all this intervening land, with Peter Eckert on the East and Michael Spang on the west.

Nov. 3, 1825, Henry Tice of Leb. twp., yeoman, and wife Elizabeth to U. C. for $609.79, 2 tracts; No. 1 Beg. cor. of Michael Spang, by H. T. S 81, E 92, S. 87 E 27, S 9 E 2.5, N. 59 E 9, by Peter Eckert N 32½ W 4, N 87½ W 33, N 82 W 92, S 5 E 4.2 to Beg. Cont. 4 A. 2 P.; No. 2, Beg. north side of canal, N 87½ W 2 ch. 81 l., N 82 1 ch. 52 E., to Tice's west line, S 11½ E 1 ch. 11 l., along line bet. Michael Spang and H. T., N 79½ E 4 ch. 15 l., to Beg. Cont. 37.45 P. —C., pp. 440-1.

"Whereas I Felix Light of Lebanon Township, Lebanon County, am the owner of a certain Plantation in the said Township and County, which has been injured by the Union Canal Company of Pennsylvania, their contractors, laborers and agents by digging removing banks and earth and timber and by causing an overflow of water and other injuries to the same by the making of their canal, its banks and paths, and whereas I have agreed amicably with the said Company for the sum of one Hundred and ten dollars as a full compensation for all the same and for my right to a bridge or other passage over the said Canal; (The Front St., bridge); Now know all men by these presents that I Felix Light for and in consideration of the said sum of one hundred and ten dollars to me in hand paid, the receipt whereof I do hereby acknowledge have for myself, my heirs, etc . . . release . . . said canal Company of Pennsylvania, etc. of and from all claims and demands for damages and injuries done and suffered as aforesaid, . . . And I do also for myself my heirs, executors, etc. . . . release acquit and discharge the said Company . . . forever to all of and from all claim or demand for a bridge or ford oversaid Canal.

"This release is not to exempt said Company . . . from their liability and obligation to make a fence along one side of the Canal through my plantation. Witness my hand and seal at Lebanon this first day of September A. D. 1829.

FELIX LIGHT (SEAL)

"I agree to the above as far as I am concerned or may in future be concerned for dower or otherwise.

BARBARA LIGHT (SEAL)
—Book D. pp. 237-8.

Abraham Light (brother of Felix and joining him on the west) signs a similar agreement for the same sum of $110. He allows the Company to get ground or gravel for repairs from that part of his land along the canal. He reserves to himself the right of having landing, board yards and store houses along the said premises, but they are not to interfere with the navigation.

Signed,

ABRAHAM LIGHT
BARBARA × LIGHT
Book D, p. 242

Landing street on the south side of the canal and parallel to the canal ran through Abraham's land, likely largely identical with the present Guilford street, east of Seventh street to Fourth street.

We can find no purchases of land between Tice and Front street, Felix Light being immediately west of Front.F The bed to the Old Canal in the 184 acre purchase of 1793, may have given a valid title without repurchase.

Joseph Barnett and James Barnett, Nov. 5, 1825, bought of Jacob Light, all the land north of the present Church street, from the Stumpstown Road, Seventh street, to Mulberry street, now Tenth street, up north over the ridge, with the exception of the northwest corner west of Ninth street.

September 2, 1826, the Barnetts convey to the Canal, for $500, the tract of land Beg. on the north bank of the Canal, opposite the center of Market street, now Ninth street, continued from the Borough of Lebanon, by Jacob Light, N 3½ W 8 ch. 26 L., by John Light (brother of Jacob) N 52½ E 2 ch. 71 L., by Joseph and James Barnett S 3½ E 9 ch. 76 L., to the bank of the Canal, along outer side of said bank to Beg. Cont., 2 A 5-2/3 P., being part of land bought by Barnetts from Jacob Light. Book C pp. 674-5. On this land Wm. Lehman built his superintendent's residence, N. E. Cor. 9th and Maple streets.

The Barnetts also conveyed to the Canal, Apr. 4, 1827, for $400, the tract south of the canal, near the brick meeting-house, bounded on the east by the Stumpstown Road, by Guilford street, on the south by the Union Canal, on the north, and by Spruce street on the west.—Book C, pp 686-7. April 25, 1837 U. C. Co. of Pa. conveyed this "lot near the brick meeting house" to Charles Graff and Thomas Biddle, Trustee, of the City of Philadelphia, for $1.00; Jacob Gratz, Pres. of the Canal, successor of Mifflin, dec., signs the transfer.—N. pp. 503-4.

The Barnetts had laid out their land purchased of Jacob Light into North Lebanon town, and had sold about 30 lots. In 1828, they sold all their remaining land to Samuel Mifflin, president of the Canal, who, December 24, 1828, conveyed for $1.00 to the Canal Co., the land occupied by the bed and towpath, all the land occupied by the Canal in North Lebanon Borough, from the Stumpstown Road on the east, to Mulberry street on the west, 3 acres. Mifflin was now in position to name the main streets east and west in this borough, after the magnates of the canal: Guilford, Mifflin and Lehman, What is now designated Water Street, without remaining reason, should be named Barnett street, after the brothers who laid out North Lebanon Borough.

John Light, brother of Jacob, and owner of the farm immediately north of Jacob, sold 40 perches of land, for $25.00,

Feb. 4, 1829, to the Canal.—Book D, p. 285.

The Union Canal wishing to widen a portion of the Summit level, by placing the berm bank some feet further north, the parties concerned therein agree on each reciving $1.00 damage therefor. The Canal from Light's Bridge (Tenth street) to the Company's Basin (Ninth to Eighth street), a distance of 400 feet, to be widened not exceeding 8 feet; from side of Basin, not exceeding 16 feet; from Eighth to Seventh, not exceeding 8 feet. And, since the Company also wishes to make a basin adjoining Stumpstown Road (Seventh street) opposite their boathouse on the north side of the Canal, the parties involved also agree for $1.00 damage each. The Canal is to enjoy all rights on the berm bank that they now enjoy on that bank. The parties signing December 17, 1828, are the following:

SAMUEL MIFFLIN, (Pres. of Canal)	DANL. FRANTZ
DANIEL KELLER	JACOB LIGHT
JOSIAH GREENAWALT	GEORGE SHULSE
JOHN GREENAWALT	JOHN GEORGE
	DAVID GREENAWALT

—Book D, pp. 236-7.

January 16, 1836, Elizabeth Mifflin and Charles Mifflin, executors of Samuel Mifflin, will made Oct. 25, 1824, with codicil added March 14, 1829, ordering to sell land when advantageous to parties concerned, sold to the Canal a lot north of the Canal, extending north along Stumpstown Road 18 P., west on street 20 P., south to canal 7 P., along canal to Beg., Cont. 1 A. 50 P., for $200.—Book G. p. 98.

"Whereas the U. C. of Pa. have located-made their Canal and its banks, paths, bridges and other works over, upon and through the Plantation of Joseph Light of Leb. Twp., Leb. Co., and have occupied used and appropriated to their own purposes, eight acres of land, more or less. And, Whereas, an amicable setlement has been made by which it is agreed that the sum of Two Hundred and Forty-six Dollars

and Eighty-Seven Cents as full compensation . . . And, Whereas, the U. C. Co., have it in contemplation to widen their canal and locks so as to admit of wide boats passing through the same." It is agreed that Light will ask no further damages if there is change of fences, work to be done by the Canal; also if widened, Co. agrees "to make a good and passable road at their cost and expense for the said Joseph Light, through his fields as far as the canal passes through his land, the road to be at the foot of the towpath embankment, April 6, 1837.—G. pp. 83-4. The road must have run from the old Light Fort, N. 11th street to West Lebanon. The Coleman Park is now on his land. The porch to the Park should be made worthy of the house.

The name of Maple street should be changed to Light street, or Light Boulevard, for the Light family, beyond all others, have figured in the development of the City of Lebanon. Nearly all the maple trees planted along the north side of this street by Wm. Lehman, which doubtless gave name to the street, have died.

A short distance west of Lebanon we come to the land of Henry Snavely. "To all to whom these presents shall or may come, Henry Snavely of Lebanon Township in the County of Lebanon and State of Pennsylvania, yeoman, Sendeth Greeting, Whereas the Union Canal Company of Pennsylvania have located, excavated the tunnel and dug their canal and feeder through the land of the said Henry Snavely, situated in Lebanon Township. . . . aforesaid and joining land of Abraham Bomberger and others. And have finished their towing paths and embankments. And Whereas, the said Union Canal Company of Pennsylvania have it now in contemplation to make and construct a new and another feeder through the same land. And Whereas, the said Henry Snavely is also entitled to a certain bridge over said canal, which said bridge is not fully and entirely completed and finished. And whereas, the said Henry Snavely has sustained damages and injuries from the location, excavation, embankment, towing path, lock house, roads overflow and

flooding his lands," and other damages likely to come, Henry Snavely to finish the bridge, being allowed $20.00, therefor, he "This day come to an amicable arrangement" . . . to receive the sum of Five Hundred Forty Dollars as a full complete and entire satisfaction," date, August 18, 1835.—F. pp. 429-31. "Overflow and flooding" was caused when too much water came through the feeder from the Water Works and from Cat Tail Run.

Abraham Bomberger, who also anticipates the new feeder from the Water Works . . . settles amicably for $400, on the same day, August 18, 1835.—F. pp. 431-2. It will be noticed that these two men were rather long-suffering for settlement. A descendant of A. B. tells us that with this money A. B. built the brick house now on this farm.

U. C. by construction work, having occupied one-half acre of lands of Christian Light of Leb. Twp., causing great damage and diverting the course of Kettle Run, paid said Christian Light $55.00 to cover all damgaes; amicably settled, Sept. 8, 1837.—Book G, pp. 139-40. Surely Kettle Run is the Cat Tail Run of Rev. Heilman.

June 5, 1830, John Kreider and John Kreider, Jr., and wife, Elizabeth, of Leb. Twp., to U. S. for $130, and $70 additional, two tracts of land. First, Beg. line J. K., Jr., and John Keller, to line of Abr. Bomberger to Beg., bridges mentioned, Cont. 2.90 A., "All the land occupied or covered through the plantation of the said John Kreider, Junr., by the feeder of the Union Canal, which runs from the water works to the summit level; also all the land along the side thereof, which is dug upon damaged and injured for the purpose of making, constructing and keeping up said feeder; and containing about two acres and a half, more or less. This conveyance is not to prevent the said parties of the first part from landing or loading goods or any other articles on the bearn side banks of the Canal; which privilege remains to them, their heirs and assigns forever, in the same manner as if this conveyance had never been made, to be exercised

so as not to injure the canal, its banks or navigation. This conveyance is a release of all claims for damages for a spring injured or destroyed."—D. pp. 500-2.

U. C. Co. of Pa. made canal and two feeders, works, etc., on lands of John Keller of Leb. Twp., "great injury and damages," "amicably settlement," for $325, a road a rod wide allowed along feeder, but to close bars or fences behind them, locks mentioned, which sometimes caused flooding. Aug. 10, 1837—G. pp. 144-5.

$500.00 were paid John Heilman for damages for land in Leb. and Annville twps. . . . the right given with horses, carts and necessary implements to enter upon and pass over by their agents and workmen a strip of land adjoining the new feeder, the whole length thereof not exceeding one rod in weath (width), for the purpose of making necessary repairs.—G. pp. 140-1. Date, Sept. 7, 1837.

Trunk and tunnel feeders through the land of John Meyer of Annville Twp. also "the occasional going of workmen upon the Lands," because of present tunnel feeder, as long as canal uses tunnel feeders, settlement made for $500, materials of old trunk feeder to be property of John Meyer. Likely a brother of Abr., about one mile from Water Works. G. pp. 140-1. Date, Oct 7, 1837.

Dec. 12, 1828, Jonas Umberger of Lebanon Township, and wife, Mary, conveyed a tract to U. C. for $20, with $12 adidtional, Beg. a line Bet. J. U. and A. (likely Amos) Heilman and extending to the line Bet. J. U. and John Heilman.—D. 282-4. There were a number of Heilmans from whom land was purchased, likely in the Dale. Here is land owner in between Heilmans.

December 4, 1828, Henry Heilman of Annville Twp., and wife, Elizabeth, for $60, and $17.50 additional, conveyed a tract to U. C. Beg. at line Bet. H. H. and A. Heilman, to line Bet. H. H. and Philip Heilman, Cont. 2½ A., includes "all land dug upon, damaged or injured."—D. p. 269. It will

now be noticed that the canal ran through lands of Henry Heilman, Philip Heilman, Jacob I. Heilman and apparently of A. Heilman and John Heilman. The Heilmans can likely trace these lands.

We come to Philip Heilman. Apr. 4, 1825, for $150 paid by the U. C. release of "all right or title to a bridge to be built by the said Company over that part of the Canal running through my land. Witness my hand and seal at Lebanon on the fourth day of April, 1825, Philip Heilman."—C. p. 503-4. July 25, 1828, Philip Heilman of Annville Twp., to U. C. for $77, tract Beg. at line of P. H. and K. H. Heilman to the land of A. Bard. Cont. 3.10 A.—D. p. 253.

Adam Bard of Annville Twp. and wife, Catharine, July 24, 1828, for $266, tract Beg. at line of A. B. and P. Heilman, after crossing small creek, along "outer side of Pond or basin caused by the works of the Union Canal Company to line between the land of the said Adam Bard and land of the said Union Canal Company" . . . "all the land occupied by the Canal, its banks, paths and works and also all the land ocupied or overflowed by said Pond," Cont. 10.64 A.—$20.00 additional was paid Bard.—D. pp. 263-5.

The place of great importance in the eyes of the engineers in laying out the New Canal was evidently the mouth of Clark's Creek; they had repudiated Baldwin's route along the Quittapahilla, and had chosen Clark's Creek, or Cat Tail Run. Here were to be the great Water Works to supply the Summit with water. A weigh lock was placed here, not at Lebanon. It is evident that the canal people expected to build up a town here.

April 8, 1826, Henry Marck, of Annville Twp., and wife, Anna, convey to U. C. for $1139.25, a tract beginning near junction of Clark's Creek with the Swatara . . . land on south side of Canal to corner near 20th lock, first of the three locks at the Water Works . . . to south side of road . . . by Phillip Seltzer (residence Bellegrove) . . . across canal to Swatara Creek, up same several courses, containing 37 A.

156 P., "including all land occupied by the canal, the banks and works thereof as at present established."—Book C. pp. 508-9.

For 50 rails received by me from the U. C. Co. of Pa. . . . I do hereby release and forever discharge . . . the said U. C. Co. of Pa. to all claims to a fence or any part of a fence to be made by the said U. C. Co. of Pa. on any line between my land now owned by me, and land belonging to said U. C. Co. of Pa. . . . signed at Lebanon, Apr. 8, 1826—Henry Marck."—C. pp. 511-2. And he had many and extended lines between.

Sept. 5, 1827, "Jacob Shindel, of the Borough of Lebanon and wife, Elizabeth, for $300 convey to the U. C. Co. land in Annville Twp." 3 A. 136 P., being all the land purchased of Henry Marck, June 6, 1827 (except lot No. 4 in the plan delivered to the U. C. Co.), fronting on the road adjoining the U. C., with a front of fifty-eight and a half feet, and extending back one hundred ninety-eight feet to a twelve foot alley, which alley the U. C. Co. of Pa. agrees to keep open as far as laid out in said plan. And also excepting a strip of street or road parallel to said lot No. 4, being to the middle of the street called Market street, in the said plan, and which the said Jacob Shindel and Elizabeth, his wife, agree to keep open to said strip of street or road, being thirty feet wide, the width of the whole street being sixty-feet, as laid out in said plan."—Book C. pp. 728-9. So here, the year the first canal boat went up, is a plan for a town at the Water Works. How fully was the plan realized?

June 15, 1830, Henry Marck of Annville Twp., and wife, Anna, to U. C. for $200 and $1.00 additional, tract "beginning at an iron peg for a corner, N. 41 E. 132 ft. for N. E. corner of most easterly steam house, thence along Water street of said town . . . by same and land lately conveyed by U. C. to H. M. . . . containing 3 A. 83 P."—D. pp. 533-5. So a town was there, steam power had been installed, and Marck had bought back some of his land sold.

But bigger business was done hereabouts with Rudolph Beam, Aug. 24, 1825, Rudolph Beam of Annville Twp., yeoman, and wife, Rachael, to U. C. for $6500, land beginning Cor. of John Gingrich and Swatara Creek, by J. G., S. 79 E. 148, to Cor. of - - - -, to Cor. of Valentine Boger, by same . . . up Swatara Cr., 128 P. to Beg., Cont. 150 A. —G. pp. 388-9.

Samuel Mifflin, President of the U. C. Co. of Pa., bound to Rudolph Beam in the sum of $7000, Aug. 29, 1825, to pay to Robert H. Hammond to pay seven bonds, dated Apr. 1, 1824, each for $500, payable Apr. 1, in 1826, 1827, 1828, 1829, 1830, 1931 and 1832, owned by Beam to Hammond.—C, pp. 394-5.

But the Canal bought more lands than they could use. Mar. 29, 1837, U. C. sold to John Rupp of Annville Twp.; for $3098, Tract 1, near U. C. Feeder (doubtless the branch canal), by Abr. Fersnler. F. Heilman and Chr. Shultz and U. C. Dam, down canal 182½ P., Cont. 94 A.; Tract 2, by D. Henning, J. Heilman, J. Fingrig (Gingrich), Cont. 4 A. 78 P.; No. 3, by F. Heilman, by School Company, I. Boger and the Canal, 7 A. 22 P.; No. 4, Beg. Swatara Cr., up same 111 P., by John Hane, to Canal Feeder, down canal 112½ P., 18 A. 12 P.; a total of 123 A. 112 P., all purchases to keep 20 feet from Canal and reservoir—"Premises part of tract purchased by U. C. Co. from Rudolph Beam and wife, Aug. 24, 1825.—M. pp. 488-9. We are inclined to hold that "feeder" and "canal" in the above are identical. The feeder from the Union Works Dam was also the Canal to Pine Grove.

Aug. 2, 1828, Abraham Shark of Annville Twp., and wife, Catharine, to the U. C. for $50 and $8.40 additional, land beginning line between A. S. and Bickel and Faber, to line of J. Boger. Cont. 2.92 A.—D. pp. 303-4.

August 24, 1928, John Miller of Annville Twp., and wife, Barbara, to U. C. for $36.00, tract Beg. line between J. M. and ----- Kuntz, to line between J. M. and J. Boger. Cont.

1.82 A.—D. pp. 255-6.

May 5, 1829, Joseph Boger and John Gingrich, executors of Valentine Boger, land in Annville Twp., Beg. line between V. B. and John Miller, to line between V. B. and A. Shark, Cont. 2.63 A., for $52.60—D. pp. 239-40.

August 22, 1829, Lawrence Kuntz of Annville Twp., and wife, Maria, to U. C. for $37.20. Beg. line of L. K. and ----- Miller to line between L. K and . . . (Philip?) Seltzer, 1.86 A., an additional $20 being paid—D. pp. 295-7. If we are correct in surmising that this Seltzer was Philip, then then these lands are below the Water Works.

March 29, 1830, Peter Miller of Annville Twp., and wife, Philipina, to U. C. for $200. Beg. line of P. M. and A. Miller, to line of ------ Hershberger, 11.70 A., additional sum of $52.50 paid.—D. pp. 427-9.

March 19, 1832, Adam Miller of Annville Twp., to U. C. for $200. Beg. line between A. M. and Peter Miller, to line between A. M. and Philip Seltzer, bridges mentioned, 11.60 A., an additional sum of $90.00 paid.—E. pp. 362-4.

July 29, 1828, Abraham Wengert of E. Hanover Twp., and wife, Barbara, to U. C. for $60, and an adidtional $6.80, land Beg. line bet. A. W. and Chr. Wengert, along left bank to south bank of Swatara Creek, along Cr. to line bet. A. W. and Widow Boumgardner, along same across canal, along right bank to line 1, across canal to Beg. "being all the land occupied by the canal, its banks, paths, feeders and works." Cont. 3.34 A.—D. pp. 274-6.

March 21, 1829, John Sherk and Jacob Sherk, Adms. of Michael Baumgardner of E. Han. dec. (about 100 acres) to U. C., adjoining John Harper, Henry Runkle and others, not sufficient money to pay debts, Court allowed selling 5 A. occupied by Canal, same bought by Canal at $20 per acre, or for $106.—D. pp. 312-3.

Philip Boumgardner's executors release to the Canal, land

in E. Han. Twp., 1.88 A. adjoining land of Abr. Wingert and ------ Walters, land occupied by feeders, banks and tow-paths.—D. pp. 243-5.

July 26, 1828, John Harper and wife, Elizabeth, to U. C. for $50, land in E. Han. Twp. Beg. line of J. H. and M. Baumgardner. Cont. 2½ A.—D. p. 250.

May 31, 1828, Abr. Blough of E. Han. Twp. and wife, Maria, to U. C. for $30.00, and an additional $11.50, land Beg. line bet. A. B. and ------ Maulfair, to line of H. Wagoner. Cont. 1.66 A.—D. pp. 272-4.

May 22, 1828, John Baumgardner of E. Han. twp and wife Susannah, to U. C., for $100, land Beg. line of J. B., and ---- Harper to line bet. J. B. and ---- Hershberger, E. of great aqueduct, Cont. 5 A. more or less, "and land occupied by the canal, all claims for damages to Lands of said J. B. and Susannah his wife, that heretofore have been caused or may in future be caused by the overflowing, swelling or raising water over or upon the same are hereby released and discharged forever to said Union Canal Company of Pennsylvania, their successors and assigns for the consideration hereinbefore and hereinafter mentioned in this Indenture." —C, pp. 807-8.

Mar. 10, 1829, Ludwig Zearing of E. Han. and John Zearing to U. C. Co. for $30, land Beg. line bet. Zs and M. Wengert, along right band and "outerside of all land dug upon, damaged or injured," to line bet. Zs. and ---- Walters, across canal to Swatara Cr., along Cr. to line 1, across canal to Beg. "also all the land between the canal and Swatara Creek." Cont. 2.93 A. $6.63 additional paid. ---- D, pp. 292-4.

March 8, 1828, Christian Light of E. Hanover twp. and wife Catharine convey to the U. C., for $20, a certain piece of land, "being the same price that is occupied by the canal and its tow-path and spoil bank; it is part of a tract of land purchased by the said Christian Light at a Sheriff Sale as appears by the Sheriff's deed dated August 12, 1822. It is

the intention of the parties to this Indenture that the said Christian Light and Catharine his wife release and discharge the said Union Canal Company of Pennsylvania . . . from all claim . . . for damages . . . heretofore done or that hereafter may be done or caused by reason of the Canal's injuring the mill stream, or water power of the said Christian Light . . . the money received as herein stated being a full consideration for all such injuries, to the mill and the water power But a further sum of $980.00 was paid, Christian signing a receipt for $1000.00 ---- C. pp. 810-11. This land likely is along the branch canal.

July 24, 1828, Leonard Allaman of E. Hanover twp. and wife Anna conveyed for $65, to U. C., Beg. at line bet. L. A. and J. Wagoner, along right bank of canal its bridges and works to line bet. L. A. and H. Wagoner, Cont. land occupied by said Canal, its bridges, paths, banks and works, 2. 94 A. ---- D, p 51. This land is said to be on the west side of the road at Black Bridge.

Dec. 6, 1833 Henry Wagoner of E. Hanover twp. and wife Catharine, to the U. C. for $30, with $7, additional, from preceeding we see that the land joined Lenard Allaman, 1.48 A. ---- E, pp. 734-6.

Aug. 9, 1828, David Wagoner of E. Hanover and wife Catharine, to U. C. for $30, with additional $14.80, land Beg. line bet. D. W. and Bashore to Abr. Wengert and Lenard Allaman, 3.24 A.

Apr. 24, 1830, Christian Wengert and wife Mary and Abraham Wengert and wife Barbara, of E. Hanover twp., to U. C. for $60, an additional $17.50, land Beg. line bet. C. W. and A. W. to line of A. W. and Chr. Seltzer, feeders mentioned, Cont. 3.10 A. ---- D, pp. 503-5.

June 9, 1829, Isaac Bashore of E. Han. twp. and wife Magdalena, for $40, Beg. line bet. I. B. and J. Wagoner to line bet. I. B. and J. Snyder, Cont. 2.44 A., and additional payment of $11.24.----D. pp. 297-300. Said to be on the west

side of the Great Aqueduct.

Dec. 4, 1829, John Snyder of E. Han. twp. to U. C. for $20, and $10, additional land, Beg. line bet. J. S. and Bashore, to line bet. J. S. and ---- Brunner, Cont. 7/10 of an Acre. ---- D, pp. 290-2.

For $250, paid Henry Brunner by U. C. he "releases all claim to a bridge to be built by said Co. on that part of the canal running through my land being on Sections 25 & 26 West," releases the Co. forever from obligation to build a bridge—Signed June 22, 1826, Henry Brunner.—Book C, pp. 547-8.

Oct. 21, 1828, Tobias Uhrich of E. Hanover twp. and wife Catharine, to U. C. for $80, land beg. line bet. T. U. and ---- Maulfair, also Widow Getz, along left side of canal to where it joins Swatara Cr., along Cr. to where left band diverges from Cr., including bridges, Cont. 4 A.—D, p. 247.

Mar. 5, 1830, Elizabeth Getz, John Getz, Catharine Getz and Thomas Getz, all of E. Han. twp., to U. C. (a lock here) for $200, and an additional $62.46, land Beg. in line of Getz and I. Zimmerman, outside of all land dug, etc. to line of T. Uhrich, Cont. 11.93 A.—D, pp. 425-7.

Mar. 10, 1830, John Maulfair of Annville twp. and wife Magdalena, for $25, and an additional $16.50, for land in E. Han. twp. Beg. line of J. M. and I. Uhlrich, to line of A. Blouch, Cont. 1.66 A.—D, pp. 433-5.

Mar. 4, 1830, Frederick Keifer of E. Han. twp. and wife Sarah, to U. C. for $100, and an additional $33, a bridge, "to be entitled to the privilege of making a store house on the bearn bank side of Canal, to be so made & used as not to interfere with the navigation." F. K. and John Baumgardner executors of Andrew Kiefer, dec., exempt canal from all obligation relative to a mortgage of $4000. against the property. ---- D, pp 422-5. We are now in the neighborhood of Bindnagel's Church and where was a busy place in canal days as we shall see in a stroll.

Dorothea Kiefer of E. Han. twp., Mar. 23, 1831, to U. C. for $60, and an additional $28, land Beg. line bet. D. Kiefer and Frederick Keefer, to Jacob Lentz (formerly I. Spreicker), Cont. 3.25 A. ---- E, pp. 47-8. John Baumgardner and Frederick Keefer express satisfaction with settlement made with Dorothea Keefer, afore, and are paid $1, ---- D, p. 85.

Oct. 4, 1828, John H. Vanhoff of Londonderry twp. and wife Catharine, to U. C. for $20, and $13.40 additional, land Beg. east side of Swatara Cr., at line of J. H. V. and A. Hershey, along line several courses and back to Cr. along same to Beg. Cont. 1 A. 41 P., "being all the land that was damaged, dug upon occupied or in any way injured by the U. C. Co. of Pa., or their agents or workmen or persons acting by their authority. ---- D, pp. 305-7.

We have seen the original idea of inland water navigation through Pennsylvania, as early as 1690, conceived in the mind of William Penn, the great Father of Pennsylvania. We have seen attempts to realize the idea as early as 1760, but set back by the American Revolution. We have seen it reborn in 1790 and given great impetus by Gov. Thomas Mifflin. We have seen the resistance of German farmers to Irish workmen digging a canal across German farms, riot and protest, major factors in developing our national position on Eminent Domain. We have seen the visits of President George Washington with Robert Morris, President of the Canal, with others, to study and promote a natural enterprise. We have beheld bankruptcy in 1797. Attempts to revive in 1811, again deferred by the War of 1812. We have seen Baldwin's survey along the Quittapahilla and a canal deep in Mother Earth rejected because of staggering cost; and then the survey of Canvas White up Clark's Creek accepted and land bought from our eastern County border to our western border and up somewhat along the proposed branch canal.

After a little breathing spell we shall be ready to follow Simeon Guilford's finished construction, digging out a bed,

making banks and tow-path from one end of the County to the other, digging a most historic tunnel, building locks, about 40 in our county, bridges wherever a public or private road must cross, ware houses built, dumps for ore, yards for coal and lumber, then feeder after feeder coming to furnish sufficient water for that terribly leaking Summit, then boats, the first one and many and then demand for large boats, resulting in widening, with sometimes changes of course and buying more land.

Then after laying the foundation of that industrial development of the Lebanon Valley and to some extend that of interior Pennsylvania, we shall see the Great Dam bursting and delivering the first terrific blow that meant the knock-out of the Union Canal. Then came the railroads, and the Canal was counted out.

Then we must become acquainted with the superintendents, of the Canal, with William Lehman and his son Benjamin, who directed the inland water-way from Alpha till Omega hove in sight; with Luther Hynicka, who after helping the railroad to get here, refreshed the declining canal with two copious dams; and with William Eckenroth who on his two-wheeled gig rode up and down the tow-path till the end. And there are others who are worthy of an introduction. There are men going home from canal and dams heavily laden with fish. Boys and girls there are swimming in summer and skating in winter; and Sunday Schools on flats on picnic bent.

And then we must see how the sheriff came and sold out the works. Likely there are some still living who would like to step around the corner and wipe a tear out of the eye. Rev. D. Heilman seemed to hope that the Canal would have part in the resurrection.

Then after another rest we are going to hike along the old canal, all the way from Berks County to Dauphin, and we may glimpse a little over the fences. There are female colleges which to-day, for health reasons, are compelling their girls to get out and hike across country. We meet so many

interesting folks, all the way from musk-rats to eagles; and there along the canal we have met some of the most interesting specimens of the *genus homo*.

What greater service can the Lebanon County Historical Society render to its people than in bringing out fully and well the history of the Old Union Canal? Says Dr. P. C. Croll:

"As long as the 'great ditch' remains open, a relic of the past, the present should be concerned to keep alive the data of its construction and usage."

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